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THE NATION'S YOUNGEST COMMONWEALTH
WITHIN A LAND OF ANCIENT CULTURE

By JAMES H. McCLINTOCK

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FOUNDING A COMMONWEALTH

Establishment of a Government in a Wilderness—The First Officials—Their Westward Journey—Sworn in at Navajo Springs—Building a Capital City—Early Agriculture—Ross Browne's Estimate of Arizona and Faith in Her Future.

Just as the land of Arizona is unlike any other land, so was the foundation of the government of her commonwealth. Ordinarily, governments are organized on the primary basis of population, the governing center placed in the most populous section of the new administrative unit. Very different it was here.

The capital was established on the northernmost edge of white settlement. Geographically it was in the center of the new territory, a point probably considered by its founders. It was in the midst of a beautiful, forested, mountainous district, but the time was snowy midwinter. The locality was far from the main continental thoroughfare. Tucson, the only town within the territory, lay distant more than 250 miles, over a roadless, Apache-infested wilderness. Bright must have been the hopeful vision of the founders of our state.

Arizona was given a separate territorial government for a number of reasons, the least of them the very manifest one of the needs of the neglected people. The Confederacy already had recognized the existence of a Territory of Arizona, though with very different area, embracing about the southern two-fifths of the present New Mexico and Arizona. This, at least, was a precedent. As a war measure it was considered advisable to have a center of federal authority thrown between the South and the Pacific Coast. But a weighty reason for organization was that a number of politicians, some of them "lame ducks" still in Congress (Gurley and Goodwin) wanted office and saw possibilities of fame and wealth in a far-off section whence had come reports of riches in silver and gold and which might prove another California. Not that these politicians were not a decent sort. They were that and more. They were men of sturdy character, patriotism and energy and, best of all, had faith in their mission and hope in its successful outcome.

CREATION OF THE TERRITORY OF ARIZONA

The act organizing the temporary government for the Territory of Arizona was approved by the President February 24, 1863. It set off the western half of New Mexico to be

. . . erected into a temporary government by the name of the Territory of Arizona: Provided, that nothing contained in the provisions of this act shall be construed to prohibit the Congress of the United States from dividing said territory or changing its boundaries in such manner and at such time as it may deem proper: Provided, further, that said government shall be maintained and continued until such time as the people residing in said territory shall, with the consent of Congress, form a state government, republican in form, as prescribed in the Constitution of the United States, and apply for and obtain admission into the Union as a state, on an equal footing with the original states.

Sec. 2. And be it further enacted, that the government hereby authorized shall consist of an executive, a legislative and a judicial power. The executive power shall be vested in a governor. The legislative power shall consist of a council of nine members, and a house of representatives of eighteen. The judicial power shall be vested in a Supreme Court, to consist of three judges, and such inferior courts as the legislative council may by law prescribe; there shall also be a secretary, a marshal, a district attorney, and a surveyor general for said territory, who, together with the governor and judges of the Supreme Court, shall be appointed by the President, by and with the advice and consent of the Senate, and the term of office for each, the manner of their appointment, and the powers, duties, and the compensation of the governor, legislative assembly, judges of the Supreme Court, secretary, marshal, district attorney, and surveyor general aforesaid, with their clerks, draughtsmen, deputies, and sergeants-at-arms, shall be such as are conferred upon the same officers by the act organizing the territorial government of New Mexico, which subordinate officers shall be appointed in the same manner and not exceed in number those created by said act and acts amendatory thereto, together with all legislative enactments of the Territory of New Mexico not inconsistent with the provisions of this act, are hereby extended to and continued in force in the said Territory of Arizona, until repealed or amended by future legislation: Provided, that no salary shall be due or paid the officers created by this act until they have entered upon the duties of their respective offices within the said territory.

Sec. 3. And be it further enacted, that there shall neither be slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted; and all acts and parts of acts, either of Congress or of the Territory of New Mexico, establishing, regulating, or in any way recognizing the relation of master and slave in said territory are hereby repealed.

THE FIRST TERRITORIAL OFFICIALS

The tentative list of officials made up for the new territory by a caucus of the prospective appointees in Washington was accepted by President Lincoln without change. In March, 1863, appointment was made of the following-named: Governor, John A. Gurley of Ohio; Secretary, Richard C. McCormick of New York; Chief Justice, John N. Goodwin of Maine; Associate Justices, Wm. T. Howell of Michigan, Jos. P. Allyn of Connecticut; District Attorney, John Titus of Pennsylvania; Marshal, Milton B. Duffield of California (or New York); Superintendent of Indian Affairs, Chas. D. Poston of Arizona, who was credited to Kentucky. Before the party of officials started West, there had been several changes. August 18 Governor Gurley died, after a long illness that had delayed matters, and on the 21st to the place was appointed Goodwin. In turn, his position was filled by the appointment of Wm. F. Turner of Iowa. Then Mr. Titus was made chief justice of Utah and Almon Gage of New York was placed in the office vacated. May 26 Levi Bashford was appointed surveyor general.

About August 27 Governor Goodwin left New York for the West, accompanied by Secretary McCormick and Judge Allyn, a short stay being made at Cincinnati to pick up any threads of business that might have been left by Gurley. Government transportation was provided from Fort Leavenworth,

which was left September 26, the party by that time enlarged by the addition of Howell, Gage and Bashford. Judge Turner overtook the wagons at Fort Larned.

Poston, probably with his mining and political interests in mind, preferred to go around by San Francisco, from which point he was accompanied by the new marshal and by J. Ross Browne, the noted California writer, who had some sort of official connection with the Department of the Interior. They sailed on the old steamer Senator for San Pedro, December 5, 1863, in company with Ammi White, Indian agent at the Pima villages, and two of his wards, Antonio Azul, chief of the Pimas, and Francisco, an interpreter. Antonio apparently had been taken northward that on his return he might properly impress his people with the wonders of the civilization of the whites. With him had been Iretaba, chief of the Mojaves, who is recorded as having made a sensation in New York and Washington. Browne and Poston, a part of the time with a military escort, toured the southern part of the new territory, the former accumulating material for his interesting book on Arizona, and it was some time before Poston joined his fellow officials at the seat of government.

Some private chronicles of the time are to the effect that the original destination of the main official party was Tucson, the largest settlement in the new territory and the most logical site for the capital. Yet designation of Tucson as the capital had been stricken out of the enabling act. The town was considered more or less of a hotbed of secession and therefore entitled to little consideration. From private sources the author has learned that Goodwin and his cabinet were still in doubt concerning their destination when they arrived, November 14, at Santa Fé. There, it is told, they proved willing listeners when General Carleton suggested that they strike out into the wilderness of Central Arizona and there, protected by a military post he was establishing, erect a new capital city that should be wholly American, without Mexican or secession influences, within a land wherein rich discoveries had been made, and which, favored by abundant water and timber and by a delightful climate, would seem destined to soon fill with a high class of American residents.

ENTERING THE PROMISED LAND

The entry of the new land was attended with some degree of pomp and circumstance. There was a military escort, commanded by Lieut. Col. J. Francisco Chaves of the First New Mexico Volunteer Cavalry, with a detachment of ten men of Troop E of his regiment, under Capt. Rafael Chacon, and a detachment of the Eleventh Missouri Volunteer Cavalry, under Capt. J. H. Butcher, the last-named, with twenty-five men, ordered from station at Los Pinos. Colonel Chaves includes in the list of his command two companies of the First California Infantry, but these probably were those sent on before. The dignitaries rode in three "ambulances" and the impedimenta, official supplies, provisions and forage were in sixty-six mule-drawn wagons. Old Fort Wingate was reached December 13.

Thence, according to Colonel Chaves, the route was along the "Camino del Obispo," so named because of the passage over it of Bishop Zubiria of Durango, who was going to baptize the Zuñi Indians. A description of the road given by the colonel is not attractive and he remarked upon the arduous circumstances

that must have attended the bishop in 1833, with the first carriage that had ever gone over the trail. In addition to the ordinary difficulties of the almost unbroken pathway, there was necessity for continual vigilance against possible assaults of Apaches and Navajos. Snow banks were encountered and frequently there were long stretches without wood or water or possible camping places for the expedition, encumbered as it was with many wagons and animals. On the 27th it was more or less guessed that the parallel of 109 degrees, west longitude, had been passed. In order to make sure, the party journeyed nearly two days more, a distance of about forty miles, to Navajo Springs, noted by Chaves as a couple of miles south of the present railroad station of that name.

Fully assured that the land of promise had been reached, the expedition halted, on the afternoon of December 29, 1863, for the formal organization of the Territory of Arizona.

PROCLAIMING THE GOVERNMENT

The officials were sworn in by the chief justice. In accordance with the customs of the time, champagne was produced and a health was drunk to the success of the new political subdivision. The proclamation of the President was read and Secretary McCormick, to whom was delegated the honor of raising the flag, made a brief address, as follows:

> Gentlemen—As the properly qualified officer, it becomes my duty to inaugurate the proceedings of the day. After a long and trying journey, we have arrived within the limits of the Territory of Arizona. These broad plains and hills form a part of the district over which as the representatives of the United States we are to establish a civil government. Happily, although claimed by those now in hostility to the federal arms, we take possession of the territory without resort to military force. The flag which I hoist in token of our authority is no new and untried banner. For nearly a century it has been the recognized, the honored, the loved emblem of law and liberty. From Canada to Mexico, from the Atlantic to the Pacific, millions of strong arms are raised in its defense, and above all efforts of foreign or domestic foes it is destined to live untarnished and transcendent.

As the flag rose upon the extemporized staff there were three hearty cheers. Prayer then was offered by H. W. Read.

The governor and others made short addresses and the speeches were translated into Spanish by Interpreter Hadley, for the benefit of the New Mexican soldiers.

Governor Goodwin's first act was the issuance of a proclamation of his intention to organize a territorial government in accordance with the provisions of the organic act. A preliminary census would be taken, judicial districts would be formed and an election would be called to provide a legislature and to fill local offices. In these the assistance of all citizens was asked to sustain his efforts to establish a government, "whereby the security of life and property will be maintained throughout the limits of the territory and its various resources be rapidly and successfully developed." It was stated that the seat of government for the present would be at or near Fort Whipple.

At Volunteer Spring, near San Francisco Mountain, Secretary McCormick and Judge Allyn, with a squad of the volunteers, left the main party and arrived at Fort Whipple, at the Little Chino Valley camp, January 17, 1864. The main party arrived at noon, January 22. The second party had some little

trouble on the way at Rattlesnake or Hell Cañon, fifteen miles northeast of Whipple. Captain Chacon, riding in advance with his men, came upon a small party of Indians, "Yalapais" (Hualpais or Tontos), who refused to obey the captain's order to accompany him to camp and who, charged with having drawn knives, were fired upon, two of them being killed.

CARLETON HAD SPIED OUT THE LAND

General Carleton had been making investigation of the new land. The previous summer he had ordered Capt. N. J. Pishon, Co. D, First California Cavalry, from Fort Craig, to proceed as an escort for Surveyor-General Clark to the newly-discovered gold fields near where Prescott now stands. The captain was directed on arrival to have his men prospect the gulches and to wash gold and to report the amount of gold each secured, in order that people might not be deceived or inveigled into a distant country without knowing well what they might expect to find. The general continued, "If the country is as rich as reported—and of this I have no doubt—there will on your return be a revolution in matters here which no man now can ever dream of." The order recited that on Pishon's return two companies of California troops would be sent to establish a post in the heart of the gold region, so the commanding officer was directed to have an eye out for the best location for such a post.

Concerning this expedition and a few collateral features, herewith is printed a letter to the editor from A. F. Banta, one of the few living pioneers who have personal recollections on the subject. Though official records sustaining this contention have not been found, Banta insists that General Carleton had ordered a watch kept on the Walker party, suspected of conspiring on behalf of the Confederacy. Information sustaining this view, Banta tells, was furnished by A. C. Benedict, a good Union man, who had joined in Colorado. Now, to quote Banta:

About this time Bob Groom and two companions reached Fort Union on the trail of the Walker party. All three were arrested and placed in the guard house. Being a personal friend of Senator McDougal of California, Groom wrote the senator at Washington, stating his predicament, and asked the senator's help. The senator called upon Secretary Stanton and presented the case, but was told by Stanton that there was "but one way your friend can obtain his release; he must take the oath of allegiance to the United States; otherwise he remains under guard till the close of the war." The senator informed Bob of the secretary's decision, and rather than lie in confinement for an indefinite time, Bob took the oath. General Carleton, being apprised of the above facts, sent word to Bob Groom to call upon him at Santa Fé. Carleton said to Groom, "I understand you desire to join the Walker party." Bob replied that that was his original intention. The general said, "I am sending a troop of cavalry out to ascertain the location of the party and to verify certain rumors and I would like you to accompany the troop as guide under pay for your services." This troop was Captain Pishon's company of the First California Volunteer Cavalry. Surveyor-General Clark and Pishon were intimate friends. Clark accompanied Pishon in a civil capacity, or merely as a citizen. Pishon and Groom climbed the San Francisco Mountains and with a glass scanned the horizon to the southward. It was at this point the old emigrant trail was left. From their elevation on the mountain they could see the country where Prescott is now situated and the heavy timbered country south of it. With the glass both Bob and Pishon were pretty sure they could see smoke. They reached Granite Creek and made camp beneath a large pine tree about where the court house at Prescott now stands. Camp was made between 3 and 4 o'clock in the afternoon in the month of July, 1863.

Hearing the report of a gun up Granite Creek, Bob went cautiously up that way to investigate, expecting to find the Walker party or Apaches. He found Capt. Pauline Weaver and a Dutchman. To Bob's questions about a party of miners, Weaver said he had "not seen a living soul in the country outside himself, the Dutchman, and Apaches; but yesterday I was up this mountain and I saw a smoke over east there and I know it was not an Apache smoke; perhaps the people you are looking for made the smoke." Although the "smoke" was not more than ten or twelve miles distant, old Captain Weaver, who had lived with the Indians since 1841, was so independent or so indifferent that he didn't care enough about the matter to look up the party of whites whose smokes he had seen many times. Pishon made his way over to "Walker's Gulch," where he found that party. Bob remained here with the miners. Clark investigated the mining situation, etc., while Pishon had an interview with Benedict to ascertain, if possible, the present and future intentions of the Joe Walker party.

Captain Pishon's orders were to find the Walker party. If the party was not permanently located to follow it, and if it should swing around towards the Rio Grande and Texas, to arrest the whole party when it reached the Rio Grande, and confine the bunch at Fort Seldon or Craig. If permanently located, then to select a site for a military camp as near the Walker party as was consistent. Pishon selected a site near where Walker Gulch enters the Agua Fria, about where King S. Woolsey put up the first house in Northern Arizona, but now known as Bowers' Ranch, fourteen miles southeast of Prescott. This done, Captain Pishon returned to New Mexico, passing through Albuquerque in August, 1863, enroute to Santa Fé.

Soon after receiving Pishon's report, Carleton ordered a large expedition out to establish Fort Whipple at the site selected, or, in the discretion of the commanding officer, at some other site near the Walker party. The transportation and military supplies for this expedition were made up at Fort Union, which place it left on the 5th of October, 1863, with orders to rendezvous at Fort Wingate. The outfit from Union consisted of sixty mule teams, six yoke of cattle to the wagon. Moore was head wagonmaster. I joined the outfit at Albuquerque as "bullwhacker" and drove one of the big teams until I was assigned to drive the doctor's ambulance after reaching Jacob's Well, west of the Zuñi Village. We had 500 head of beef cattle and 1,800 head of Navajo sheep for mutton. These sheep had been captured by Kit Carson's command, then fighting the Navajos. The personnel of the command, which left (old) Fort Wingate November 4, 1863, consisted of two companies of the First California Volunteer Infantry. Captains Hargrave of "C" and Benson of "F," Lieutenants Nelson, Taylor and Pomeroy, Major Willis, commanding, Doctor Lieb and wife (the first white woman to locate in Northern Arizona), Captain Pishon and a detachment of fifteen men, as guides for the expedition. In due time the outfit reached Chino Valley and Major Willis decided to establish the fort at that point, which was done on the 20th day of December, 1863. Our expedition made so plain a trail that the Goodwin party could easily follow it and needed no guide.

THE FIRST CAMP IN LITTLE CHINO VALLEY

Banta's story of the establishment of Fort Whipple is sufficient in itself. The military records tell that Major Edw. B. Willis, First California Volunteer Infantry, with Co. C, Capt. J. P. Hargrave, and Co. F, Capt. Henry M. Benson, left Wingate November 7, 1863, and marched to Fort Whipple, 340 miles, arriving December 7, though Co. F may have been delayed, as its arrival date is set down as December 21. Co. F remained at Clark, or Whipple, till the following July, but Hargraves' command was at Whipple till muster out, late in the following year. Chaves, after a stay of a couple of months, returned with Butcher and Chacon to Wingate, where he took command. A detachment of New Mexican volunteers, under Captain Thompson, was at Whipple late in 1864.

The population of this section about the time of the governor's arrival was not inconsiderable. Conner writes: "In November, 1863, men were arriving

by the hundreds. John Dickson and I counted arrivals up to 800 and then gave it up." Major Willis estimated the mining population around Prescott at 1,500 and in the Mojave country at nearly 1,000.

The post in Little Chino Valley was a busy one, both before and after the governor's arrival. Major Willis had called a council of 100 Hualpais, who had agreed to the major's announcement that he would shoot any Indian caught stealing. The Miner of a subsequent date called the Hualpai "a poor, degraded Indian, without spirit and many think not chargeable with any of the outrages committed." The Pinal Apaches were found very different, abounding in pluck and audacity. Fifteen of them had robbed King Woolsey, on his Agua Fria ranch, of thirty head of cattle. At the time he was called, "one of our most daring and skillful Indian fighters, and believes fully, as he has good reason to, in the extermination policy." Already Woolsey had been at the head of a punitive expedition against the Apaches, in which he had slaughtered twenty or more.

Indian news for years constituted the main feature of journalism in northern Arizona. This, from the first issue of the Miner, of March, 1864, is a fair example of the news of the period:

> On Saturday afternoon Messrs. Vickroy and Smith, of the Lower Hesiampa diggings, waited upon Secretary McCormick with a request from the people of that district for military protection. They reported that on Wednesday a very large body of Apaches had entered the district and killed eight of the miners, five Mexicans, and that some twenty more were missing. The secretary immediately solicited Captain Pishon, commanding in the absence of Major Willis, to send a force to the Hesiampa, and at nightfall, by order of the captain, twenty of Captain Butcher's Missouri volunteers were upon the road. Messrs. Vickroy and Smith expressed much satisfaction with the prompt response to their appeal. It is their opinion that the Apaches meditate a severe and continued campaign against the miners on the Hesiampa and at Weaver.

EVOLVING A GREAT SEAL

It is doubtful if very much was done at the Little Chino Valley camp in the way of government, though Marshal Duffield, on arrival, busied himself arranging for a census. Secretary McCormick had evolved a great seal, thus described at the time:

"The design, that of a stalwart miner, standing by his wheel-barrow, with pick and shovel in hand, the upturned 'paying dirt' at his feet, and the auriferous hills behind him, with the motto 'Ditat Deus' (God enriches), forms an appropriate and striking combination. Objection has been made to the wheel-barrow and short-handled shovel, but both are used in our mines, and are thus properly introduced." The "auriferous hills behind" have been understood to represent the San Francisco Peaks (which are not auriferous), but old timers fix the locality of the pictured scene as "Seal Mountain," on the Hassayampa River, near Walnut Grove.

Governor Goodwin seems to have been active with intelligent appreciation of the difficulties of his office and of the necessity for early organization. With a military escort he toured the valleys of the Verde and Salinas, probably reaching as far down as the present site of Phœnix. At one point the party surprised a rancheria, within which were killed five Indians and where two Indians were wounded. But trouble was not leaden-footed in its pursuit of

the governor. It overtook him at least as early as May 18, 1864, when he moved the seat of government to the brand new town of Prescott, instead of to Tucson or La Paz, each of which believed the capital its own by right. Then it should be remembered that a very large part of the population was of southern bias—while Goodwin, of course, was a strong upholder of the President and his policies.

EARLY DAYS OF PRESCOTT

Conner tells that the first improvements on Granite Creek in 1864 were a cabin and a corral, built by Van Smith, who cared for the animals of new

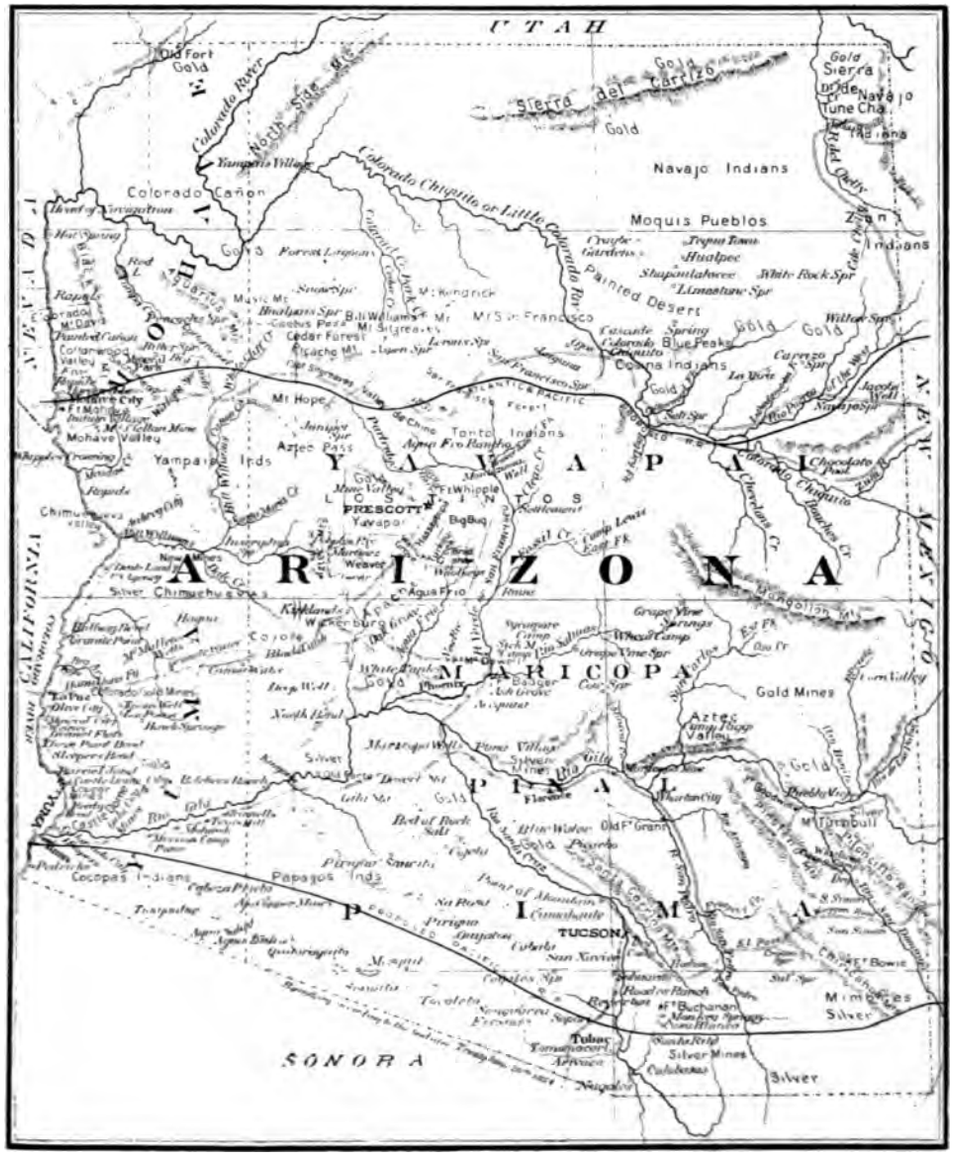
SEALS OF ARIZONA TERRITORY

That in the center is the one designed by Secretary McCormick. A similar one, without the wheelbarrow, also was found on some early-day documents. The one on the left was generally used in the territorial period, though that on the right was officially countenanced around 1890.

arrivals. His first herder, Joseph Crosthwaite, was killed by Indians within one hundred yards of where the buildings of the later Fort Whipple were built. Half of the stampeded herd of 160 animals ran toward the Prescott woods, where Conner was helping Bob Groom lay off the new townsite, and then returned to Smith's corral. The other half circled easterly. The raiding Indians, on reaching Lynx Creek, ran across a Mr. Moore, Sam C. Miller and Dr. J. T. Alsap, gave them a running battle to an old mining cabin, added their three animals to the fleeing herd and "passed on like the wind, leaving Miller shot twice through the same leg."

According to Conner, Miller Valley, on the outskirts of the later Prescott townsite, was located in three small land claims in June, 1863, by himself and Jake and Sam Miller.

Prescott itself was organized May 30, 1864, at a public meeting held on Granite Creek. In the record of the event is fairly set forth that the name



ARIZONA IN 1875

was given "in honor of the eminent American writer and standard authority upon Aztec and Spanish-American history." The names given the streets were in keeping with the spirit of the gathering and to this day commemorate the deeds of the early pioneers and the services of the first territorial officials.

There had been a change, May 18, from the Little Chino Valley site to a new Fort Whipple site, where the post now is, on ground secured from Van C. Smith. Smith, Hezekiah Brooks and Bob Groom were named as commissioners to lay off the new town, Groom acting as surveyor. Smith was appointed the first sheriff of Yavapai County.

The initial settlement in Prescott appeared merely to have been by virtue of squatters' rights, so on November 6, 1866, the Legislature passed a memorial to Congress asking a donation of 320 acres of land as a townsite, reciting that the tract already had been platted into lots.

George Bernard claimed to have been the first postmaster, with his office under a tree. The first mail was from California, brought through by way of La Paz by a contractor named Grant.

The old capitol on Gurley Street was built of pine logs by Van Smith and Christy in 1864, and in its upper story, July 25, 1865, was held the first meeting of the first Masonic lodge organized within Arizona. The old log mansion of the first governor, in West Prescott, also was built in 1864 by Raible and Blair, though Banta names Loren Jenks as the contractor. About the same time was built an adobe, near the corner of Goodwin and Montezuma streets, owned by Michael Wormser. However, the first building erected within the corporate limits of the present Prescott was a log hut, still standing near Granite Creek in Goose Flat, later known as Old Fort Misery and for years the home of Judge Howard. In this house was held the first district court. This was the first social center of the community.

The first family to locate in Prescott is said to have been that of Joseph Ehle, who came with his wife and daughters early in 1864, though the Leib family also must have been in the vicinity. One of the Ehle girls, Mary, was married in November, 1864, to J. A. Dickson, the ceremony being performed by Governor Goodwin. In the following January was born Mollie Simmons, probably the first white child of Northern Arizona nativity.

Miss Hall has written that Mrs. Ehle brought to Prescott its first chickens, of Black Spanish strain, its first cat, from whose progeny a kitten was sold to a miner for an ounce of gold dust, and the first hives of honey bees, estimated to have cost $50 a stand. Mrs. Ehle found that bacon sold for 75 cents a pound in gold dust and that flour was held at $44 a sack in greenbacks. Sugar and lard each cost above 50 cents a pound.

Fannie B. Stephens, the first person to be given credentials as a school teacher in Northern Arizona, passed away in Los Angeles early in 1915. She taught in Prescott in 1864, in a primitive log hut on South Granite Street near Carleton, where she had only about six pupils. Her teaching experience was brief. Women were few and wives were in demand in those days and she soon was married to Lewis A. Stephens and with him went to the Stephens ranch at the Point of Rocks, where thereafter she was in the midst of a number of exciting Apache episodes.

Prescott was a distinctively American town from the very start and at no

time in its history has it had any considerable number of Mexicans within its population. The architecture at no time accepted the Spanish-Moorish type so general in the towns further to the southward.

Elk, deer and antelope were common in Northern Arizona at the time of the white man's coming. Wm. H. Hardy told that it would not be uncommon to see 300 deer or antelope in a day's ride and that three crack shots left Prescott on one occasion and in three days killed a four-horse wagon load of game.

Hardy, who crossed the Colorado River January 2, 1864, told that that winter was an exceptionally severe one. Thomas Matthews, William King and Ned Morris, miners from Lynx Creek, bound for Fort Mojave after provisions, were storm-bound in Williamson Valley and would have perished had they not followed the trail of a large band of antelope, leading to a lower altitude. The following winter, on December 2, Hardy at Fort Whipple built what he believed was the first sleigh ever known in Arizona. A fortnight later a party of soldiers came into Whipple in hard plight. On the road from the San Francisco peaks their horses had died and the men escaped only by making snowshoes out of the horsehide.

TURNING TO AGRICULTURE

The American settlement of the Verde Valley began in January, 1865, when a party of men left Prescott to see if good farming land susceptible to irrigation could not be found on the river. At that time agricultural products brought high prices. Barley and wheat cost $20 per hundred and corn $2 more. Therefore the rewards of husbandry would be great if success were attained. The party of agricultural explorers consisted of James M. Swetnam, now a practicing physician in Phœnix, William L. Osborn, uncle of Arizona's present secretary of state, Clayton M. Ralston, Henry D. Morse, Jack Remstein, Thomas Ruff, later a prosperous Phœnix rancher, Ed A. Boblette, James Parish and James Robinson. At that time the only ranch east of Prescott was that of King S. Woolsey, in the Agua Fria Valley, twenty-five miles distant from Prescott and about half way to the Verde Valley.

A site was determined upon by this first body of men near the mouth of Clear Creek and a return was made to Prescott. In February, with six loaded wagons drawn by oxen, a party of nineteen started from the capital, but divided on reaching the river. Swetnam and nine others camped at the original site selected, and Parish and the others on a point above where irrigation water would have to be taken from the Verde River. The Swetnam party dug a ditch from Clear Creek, only to find that it had been laid out with its end a trifle higher than its mouth. But the water finally was secured and land was cleared and broken, and in May over 200 acres had been planted in grain and garden stuff. That summer the pioneers lived royally, their own products supplemented by flour secured in Prescott at $30 per hundred, and bacon at 75 cents per pound. In August the first load of barley was taken to Prescott, headed and thrashed by hand, and was sold at Whipple for $17 per 100 pounds.

HOW ROSS BROWNE SAW ARIZONA

J. Ross Browne, who made a trip through Southern Arizona in December, 1863, in the following year, wrote an extremely interesting book concerning his travels, entitling it "The Apache Country." The writer was one of the early

PRESCOTT IN 1864

FIRST CAPITOL OF ARIZONA—WEST PRESCOTT

day literary men of California and wrote a number of works that now seem to have disappeared from any but antiquarian libraries, but which were well worthy of more enduring fame.

His trip happened to be at a critical point of Arizona history—just as the territorial government had been formed, but while the American settlement was to be found only in a few scattered mining camps and along the stage routes. As the author very tersely puts it, "the melancholy fact can not be denied that Arizona has never yet had a population of over 3,000 and not a very good one at that." Even after his return he expressed a belief in the future of the wild and rather desolate country he had passed through and his final observations are well worth reprinting:

I believe Arizona to be a territory wonderfully rich in minerals, but subject to greater drawbacks than any of our territorial possessions. It will be many years before its mineral resources can be fully and fairly developed. Immigration must be encouraged by increased military protection; capital must be expended without the hope of immediate and extraordinary returns; civil law must be established on a firm basis, and facilities of communication fostered by legislation of Congress.

No country that I have yet visited presents so many striking anomalies as Arizona. With millions of acres of the finest arable lands, there was not at the time of our visit a single farm under cultivation in the territory; with the richest gold and silver mines, paper money is the common currency; with forts innumerable, there is scarcely any protection to life and property; with extensive pastures, there is little or no stock; with the finest natural roads, traveling is beset with difficulties; with rivers through every valley, a stranger may die of thirst. Hay is cut with a hoe, and wood with a spade or mattock. In January one enjoys the luxury of a bath as under a tropical sun, and sleeps under double blankets at night There are towns without inhabitants, and deserts extensively populated; vegetation where there is no soil and soil where there is no vegetation. Snow is seen where it is never seen to fall, and ice forms where it never snows. There are Indians the most docile in North America, yet travelers are murdered daily by Indians the most barbarous on earth. The Mexicans have driven the Papagos from their southern homes, and now seek protection from the Apaches in the Papago villages. Fifteen hundred Apache warriors, the most cowardly of the Indian tribes in Arizona, beaten in every fight by the Pimas, Maricopas and Papagos, keep these and all other Indians closed up as in a corral; and the same Apaches have desolated a country inhabited by 120,000 Mexicans. Mines without miners and forts without soldiers are common, Politicians without policy, traders without trade, storekeepers without stores, teamsters without teams, and all without means, form the mass of the white population.

CHAPTER XXVI

LAW BROUGHT TO ARIZONA

Elections, Officials and Legislatures—McCormick's Continued Successes—Establishment of Courts—Creation of Counties—Highways—Yuma Land Dispute—A Loyal People—Fremont's Governorship—Divorces and Lotteries—The Thieving Thirteenth—Bullion Tax Repeal.

May 26, 1864, an election was called by Governor Goodwin, to be held July 18. Poston, who was well-known in the South, was elected delegate to Congress, on a platform that called for support of the Union. He was opposed by W. H. Bradshaw, a democrat. Charles Leib, a Union man, also polled some votes. The campaign was not devoid of bitterness, there being claims that Poston even had "rung in" Papago Indian voters. Poston later admitted that he did little in Congress, wherein he likened himself to a tadpole among frogs. Congress was concerned in little but the war and its results. The Arizona delegate was given gratifying attention when he took the floor to talk on irrigation and secured an appropriation for a canal on the Mojave reservation. Extended reference to Poston's service will be found in a special chapter elsewhere in this volume.

The law was established in Arizona by the assignment of the judges to stations. Howell was given the first district, with his court at Tucson, Allyn the second, at La Paz, and Turner the third, at Prescott.

Till a bond issue later was floated, little money was available for public uses, outside of the Federal pay roll. Up to November 1, 1865, the total receipts of the territorial treasurer had been only $1,189.06, nearly all turned in by the four counties.

The members of the Legislature, of whom a list will be found elsewhere, had been elected more or less at large. In the code adopted was made a division of the territory into counties, named after Indian tribes of their localities, namely, Mohave (probably an unintentional anglicizing of the Spanish Mojave), with county seat at Mojave City; Yuma (the only one that has preserved its boundaries to this day), with county seat at La Paz; Pima, embracing the Gadsen Purchase, south of the Gila, with county seat at Tucson; and Yavapai, north of the Gila and covering more than half the territory's area, with county seat at Prescott.

The governors of the early days, in order, were: John N. Goodwin, from August 21, 1863; R. C. McCormick, from April 10, 1866; A. P. K. Safford, from April 7, 1869, and John P. Hoyt, from April 5, 1877, till the coming of Frémont in 1878. The secretaries for the same period were McCormick under Goodwin, T. P. T. Cartter under McCormick, and Coles Bashford and John P.

Hoyt under Safford. As the Presidents during this period were Lincoln, Johnson, Grant and Hayes, all were republican. The Federal judges appointed before 1878, the territory having an allotment of three, were W. F. Turner (chief justice), W. T. Howell, J. P. Allyn, H. F. Backus, H. H. Carter, John Titus (chief justice), Isham Reavis, C. A. Tweed and De Forest Porter. The last named remained in office from 1873 till 1881, an exceptionally long term for the times.

CONGRESSIONAL ELECTIONS

Governor Goodwin followed Poston in Congress, despite strong opposition from both the delegate, whose strength had singularly waned, and Judge Allyn, whose animosity, according to several private letters of the period, was personal. But Goodwin received 707 votes, Allyn, 376, and Poston, only 260.

The office of delegate still remained in the official family at the third election, whereat was chosen Coles Bashford, a former Governor of Michigan, who had been serving at attorney general. He received 1,009 votes. Chas. D. Poston again unsuccessfully tried his strength with the voters, receiving 518 votes, and Samuel Adams tailed with 168 votes.

In 1868, the official family was endorsed again by the voters, for McCormick passed from the office of governor to that of delegate. He received 1,237 votes, while his opponents, John A. Rush and Adams respectively had only 836 and 32 votes. Poston complained with bitterness that McCormick had traded the capital for the vote of Pima County. This contention was sustained to a degree by the fact that the capital was moved, though assuredly not on any strength from Northern Arizona that might have been controlled by McCormick.

In 1870 McCormick was re-elected, receiving 1,882 votes, over Peter R. Brady, who, though a democrat of notable standing, received only 832. In 1872 McCormick again was elected, apparently with no opposition, for 2,522 votes are credited to him, which would have meant not far from the ordinary voting strength of the territory.

There was a change in 1874. It is evident that political lines had not been severely drawn and that the personal popularity of the candidates had counted for much. With the retirement of McCormick, a democrat became delegate in the person of Hiram S. Stevens, whose vote was 1,442, compared with the vote of his republican adversaries, C. C. Bean, 1,076, and John Smith, 571. A story has come down concerning the novel way in which Stevens is said to have forwarded his candidacy by distributing $25,000 among the gamblers of Arizona to bet upon him, the gamblers to take the winnings and he to take back his capital. A gambler was a political force in those days, and it is probable that they threw much influence towards Stevens in order to win the money, and it is entirely probable also that Stevens received back every cent of his investment. Stevens was re-elected in 1876, though it was a rather narrow squeeze, probably because he could not use his scheme twice. He was opposed by two exceptionally strong men, Wm. H. Hardy, the Mohave County pioneer, a republican, and Granville H. Oury, who had always handsomely represented the southern element. Stevens won, but his vote was only 1,194, Hardy receiving 1,099 votes and Oury, 1,007.

In 1878 the struggle for Congress was a sort of free-for-all, participated in by Stevens, John G. Campbell, a Yavapai County stockman, King S. Woolsey, the noted Indian fighter, and A. E. Davis. Campbell was elected, with 1,452 votes, then following Davis, 1,097, Stevens, 1,090, and Woolsey, 822. It is a very odd fact that though Campbell served his term in Congress, it was found after his death that he had never been a citizen of the United States. He had presumed that citizenship had been given by his father, but in this was in error.

The first law passed by the new Legislative Assembly, approved October 1, 1864, authorized the governor to appoint a commissioner to prepare and report a code of laws for the use and consideration of the Legislature. As such commissioner was appointed Judge Wm. T. Howell, to whom later was paid the sum of $2,500. The Howell code for several years thereafter was the law of the land and still is considered by lawyers a legal compilation of high merit.

Possibly coming to the assistance of some harassed debtor, the Legislature enacted "that no indebtedness or liability incurred . . . or judgment recovered . . . against any person prior to his arrival in this territory shall be binding or have any effect whatever or be in any way enforced in any court in this territory for the term of four years from the date of the passage of this act." The act was repealed the following year.

That the history of Arizona even at that time was considered of some value was indicated by official approval of the incorporation of the Arizona Historical Society, whereof the members were Secretary McCormick, W. Claude Jones, Allen L. Anderson, Gilbert W. Hawkins, King S. Woolsey, Henry O. Bigelow, A. M. White, Charles A. Curtiss, James S. Giles, James Garvin, Richard Gird, T. J. Bidewell, Edward D. Tuttle, William Walter and Samuel Todd. The object of the society was set forth as being the collection and preservation of all historical facts, manuscripts, documents, records and memoirs relating to the history of this territory, geological and mineralogical specimens, geographical maps and information, Indian curiosities and antiquities, and objects of natural history.

TOLL ROADS AND RAILROADS

Then as now highways were of large importance in the public estimation. The only way in which the territory could get good roads seemed to have been by farming out the thoroughfares. So a number of toll-road companies were licensed. One, the Arizona-Central Road Company, was to build from La Paz to Weaver and was authorized to collect 4 cents a mile from each two-horse wagon drawn over it. This company was authorized also to operate its toll road as far as a point not less than one mile from the Town of Prescott. Another corporation, in which appeared the names of several of the legislators, was the Tucson, Poso Verde and Libertad Road Company. George Lount, Albert O. Noyes and Hezekiah Brooks were granted the privilege of constructing a toll road between the mouth of Bill Williams Fork and Prescott, their corporation to be known as the Santa Maria Wagon Road Company. Still another, the Mojave and Prescott Toll Road Company, headed by Rufus E. Farrington, was to build from Fort Mojave to Prescott. The first north-and-south thoroughfare was contemplated by the Prescott, Walnut Grove and Pima Road Company, which was authorized to build southward to the Pima villages, with

a branch to the Town of Weaver, and to collect 5 cents a mile. The list of incorporators included Bob Groom, Richard Gird, R. C. McCormick, J. T. Alsap, Jackson McCracken, Jack Swilling and King S. Woolsey. To the eastward Edmund W. Wells, King S. Woolsey and others, constituting the Prescott and Fort Wingate Road Company, were given the exclusive privilege to construct and operate a toll road from Prescott to Fort Wingate.

A ferry franchise was granted to Samuel Todd, giving him exclusive right on the Colorado River at Mojave City. A similar franchise was granted to William D. Bradshaw at La Paz.

Railroads also were held in esteem. Henry Sage, Richard Gird and a half dozen others were authorized to construct and operate a railroad from the Castle Dome mines to Castle Dome City and were to have a passenger tariff of 10 cents a mile. Another corporation, the Arizona Railroad Company, had an official flavor in that it was headed by John N. Goodwin and Richard C. McCormick. Its aspirations were ambitious, to connect Guaymas and other Pacific ports, through Tubac, with Tucson and thence to the Town of La Paz, with an exclusive right to locate a line of road across the territory.

CONSIDERING THE APACHE

Possibly dissatisfied with the operations of the regular army, authorization was given the governor for raising not over six companies of rangers, not to exceed 600 men, to be employed in a campaign against hostile Apaches. The expense was to be met by the issuance of $100,000 in territorial bonds to bear 10 per cent interest and to run for twenty years. The governor, King S. Woolsey and John Capron were appointed commissioners to carry out the provisions of the act. Goodwin and Woolsey went to San Francisco, but could not sell these bonds. From the territorial funds was appropriated the sum of $1,480 payable to A. M. White, R. C. McCormick, P. McCannon and Thomas Hodges "for money and supplies furnished in the late Indian campaign conducted by the citizens of this Territory." Money for the first necessities of the territorial government was provided by a bond issue of $15,000, repayable in three years and bearing 10 per cent interest. Delegate Poston by resolution was asked to procure from the central government 500 stand of Springfield rifled muskets, caliber 58, of the latest improved type, sufficient for the purpose of arming and equipping a battalion of Arizona rangers for active service against the Apaches and other hostile Indian tribes. Thanks were extended to Lieut.-Col. King S. Woolsey in a concurrent resolution with having, "with great perseverance and personal sacrifice, raised and led against the Apaches during the present year three several expeditions, composed of citizen volunteers, who, like their commander, had spent their time and means and up to this time had been entirely unrecompensed therefor." It is added that "these expeditions have been highly beneficial to the people, not only in taking the lives of a number of Apaches and destroying the crops in their country, but also by adding largely to the geological and mineralogical knowledge of the country." A similar resolution expressed appreciation of the services of Capt. T. T. Tidball of the Fifth Infantry, California Volunteers, whose various successful expeditions against the barbarous Apaches were considered as meriting the highest expression of approbation.

CALIFORNIA'S CLAIMS ON YUMA

According to the treaty of Guadalupe Hidalgo, ratified in 1848, a part of the boundary between the contracting republics was defined as a line drawn from the middle of the Gila River where it unites with the Colorado to a point on the Pacific Ocean one marine league south of the port of San Diego. This line constituted the southern boundary of California when admitted into the Union as a state in 1850. Complication thereupon was threatened, for a tract of 150 acres, within which much of the present town of Yuma now lies, thus would appear to have been lost, as the division line between California and the Territory of New Mexico extended over to the southward of the Colorado River, which at that point has a northern bend. This difficulty was appreciated as early as the First Legislature of Arizona, which asked that Congress annex this tract to Arizona, providing the State of California relinquish her right to it. In the memorial was recited the fact that this small tract of land had become an important commercial point, that it was opposite Fort Yuma and remote from any California civil government, of little importance to California and of vast consequence to Arizona and that if annexed to Arizona the benefit of civil government would be immediately extended over it from Arizona City, which lay adjoining it.

In 1877 Congress was memorialized to add to the territory's expanse the southwestern portion of New Mexico, including the area embraced within Grant County, which, it was claimed, had interests that brought its people very close to Arizona in a commercial and social way.

The First Legislature was in session forty-three days and passed forty of the 122 bills introduced. The pages at the session were John and Neri Osborn, both now residents in Phœnix. A son of the latter now is Arizona's secretary of state, after following in his sire's footsteps to the extent of acting as page in Arizona's Twentieth Territorial Legislature. At the first session, Secretary McCormick made the pages more appreciative by paying them in great sheets of "shinplasters," wherein the sections, when cut apart, each had a value of 5 cents.

THE COUNTY OF PAHUTE

The first county of Arizona to be created by legislative enactment was that of Pah-Ute in December, 1865, by the first act approved in the second territorial legislative session. The boundaries of the county were described as commencing at a point on the Colorado River known as Roaring Rapids; thence due east to the line of 113 deg. 20 min. west longitude; thence north, along said line of longitude, to its point of intersection with the 37th parallel of north latitude; thence west, along said parallel of latitude, to a point where the boundary line between the State of California and the Territory of Arizona strikes said 37th parallel of latitude; thence southeasterly, along said boundary line, to a point due west from said Roaring Rapids; thence due east to said Roaring Rapids and point of beginning. Callville was created the seat of justice and the governor was authorized to appoint the necessary county officers. The new subdivision was taken entirely from Mohave County. It may be noted that its boundaries were entirely arbitrary and not natural and the greater part of the new county's area lay in what now is the southern point

MEMBERS OF THE EIGHTH LEGISLATURE, ARIZONA, 1875

Council: 1, K. S. Woolsey, president; 2, J. P. Hargrave; 3, L. A. Stevens; 4, J. M. Redondo; 5, S. R. DeLong; 6, J. G. Campbell; 7, A. E. Davis; 8, W. Zeckendorf; 9, P. R. Brady.

House: 10, J. T. Alsap, speaker; 11, G. H. Oury; 12, F. M. Griffin; 13, A. L. Moeller; 14, S. Purdy, Jr.; 15, G. H. Stevens; 16, R. H. Kelly; 17, J. M. Elias; 18, W. J. O'Neil; 19, H. Richards; 20, S. W. Wood; 21, J. Montgomery; 22, A. Rickman; 23, S. H. Drachman; 24, C. P. Head; 25, G. Brooke; 26, H. Goldberg; 27, L. Bashford; 28, W. J. Tompkins, sergeant-at-arms, Council; 29, J. T. Phy, sergeant-at-arms, House.

of the State of Nevada. October 1, 1867, the county seat was moved to Saint Thomas. November 5, 1866, a protest was sent by memorial to Congress against the setting off to the State of Nevada of that part west of the Colorado. The grant of this tract to Nevada under the terms of a congressional act approved May 5, 1866, had been conditioned upon similar acceptance by the Legislature of Nevada. This was done January 18, 1867. Without effect, the Arizona Legislature twice petitioned Congress to rescind its action, alleging "it is the unanimous wish of the inhabitants of Pah-Ute and Mohave Counties and indeed of all the constituents of your memorialists that the territory in question should remain with Arizona; for the convenient transaction of official and other business and on every account they greatly desire it." But Congress proved obdurate and Nevada refused to give up the strip and the County of Pah-Ute, deprived of most of her area, finally was wiped out by the Legislature in 1871. At first, it was claimed that Saint George and a very wide strip of southern Utah really belonged to Arizona.

EXPRESSION OF LOYALTY

Though, naturally, Confederate sympathizers were numerous within Arizona, the territory as a whole appeared generally to have remained loyal in thought and in legislative action. This in all probability largely was due to the influence of the discharged California volunteers, rugged and forceful men, who were distributed through all the settlements, early taking a prominent place in the administration of affairs. This loyalty had formal expression in the Second Legislature, which in December, 1865, passed a resolution expressing joy at the successful termination of the war, sympathy with those whose homes had been made desolate and gratitude to Almighty God for his protection in the trying hour. Unswerving support was pledged to the reconstruction plans of President Johnson and pride was expressed in the deeds of Gen. Ulysses S. Grant. About the same time was recorded a concurrent resolution of regret over the death of Abraham Lincoln. The legislators made record of their abhorrence of "the dastardly act which deprived the nation of the valuable life of Abraham Lincoln, when his great statesmanship and noble character had won the confidence and applause of the civilized world; . . . . that here, where civil law was first established by the generous consideration of his administration, as elsewhere upon the continent, which owes so much to his honest and persistent devotion to liberty, to justice and to the government of the people, his name is honored and revered as that of a true patriot, a profound ruler and a magnanimous and unselfish man, whose highest motive was the public good, and whose consistent career has elevated the dignity, brightened the renown and enriched the history of the Republic."

WORK OF THE LEGISLATURES

The work of the following sessions of the legislatures can be briefed: The third session in 1866 created the offices of district (county) attorney and of territorial auditor. In the fourth session, 1867, the capital was moved to Tucson; resolutions were passed criticising General McDowell and asking that Arizona be made a separate military department. In 1868 was an act establishing a territorial prison at Phœnix; creation was made of the offices of territorial

attorney general and county surveyor, and much attention was given to the public schools. The prison act was not carried out. Then annual sessions of the Legislature were abandoned. The next, the sixth, was held in 1871. The county seat of Yuma County was transferred from La Paz to Arizona City; the County of Maricopa was created from southern Yavapai, north of the Gila and west of the San Carlos River; the Legislature repealed the act creating Pah-Ute County, and attached to Mohave County the balance left within Arizona. In 1873, in addition to the divorce acts and other matters considered elsewhere, the name of Arizona City was changed to "Yuma," Maricopa County was given a part of Pima County, and General Crook was commended. Governor Safford was authorized to publish an immigration pamphlet. Pinal County was created in the session of 1875 from parts of Pima, Maricopa and Yavapai counties, including Globe. A bullion tax was levied on the mining product, and the capital was "permanently" located at Tucson. Despite this last action, the ninth session, two years later, transferred the capital back to Prescott, effective after the Legislature's adjournment. In 1877, also, the county seat of Mohave County was changed to Mineral Park; amendment was made of the northern boundary line of Maricopa County; the City of Tucson was incorporated; authorization was given for the organization of a company of volunteers to fight Indians; a memorial was passed asking for the addition to Arizona of Grant County, New Mexico.

FREMONT'S SERVICE AS GOVERNOR

John C. Frémont, "The Pathfinder of the Rockies," was appointed Governor of Arizona June 12, 1878, the post secured by his friends from President Hayes to relieve pressing financial necessities. The new governor and family were welcomed most hospitably into the really delightful society of Prescott and, without cost, were provided a well-furnished home, a pleasant cottage, on the site of the present city library. The governor's salary was a meager one and old accounts were pressing, so Frémont, a born promoter, looked for other ways for adding to his income. He became mixed in various local mining schemes, in which he was charged with having received commissions. It soon was told that, though testy in manner, he could be swayed easily and that a trio of Prescott lawyers had much to do in the direction of his attitude toward legislation and general administrative work. There can be no doubt that he considered himself far too large for the position he occupied. Though he held office nearly four years, he was much of the time in the East, though ostensibly on Arizona public business. In October, 1881, Territorial Secretary Gosper addressed the secretary of the interior, "recommending either to you or to Congress that the regularly appointed governor of this territory be required to return to his post of duty, or be asked to step aside and permit some other gentleman to take his place and feel at liberty to act without restraint." In the same communication Gosper referred with feeling to the local sentiment against carpetbag officials. Delegate John G. Campbell in Washington personally voiced the antagonistic feeling that had grown up in Arizona toward Frémont. Finally the governor was given the alternative of returning to his field of duty or of resigning. He resigned. He died in New York, in 1890, still impecunious.

Governor Frémont gained a deep insight into frontier politics through the fact that he had two rather notable legislatures on his hands. In the tenth, which met in 1879, a very interesting bill, which he favored and signed, established and legalized a scheme on the same lines as the Louisiana Lottery, with a "rake-off" provided for the territory. But Congress had a veto right on all territorial legislation, and so the grand plans came to naught. In this session was created the County of Apache, out of a great strip cut from the eastern part of Yavapai, "Mother of Counties." Snowflake was the first county seat, but there was transfer later to Springerville and then to St. Johns. The Legislature petitioned Congress to finally settle all Arizona land grant claims by positive enactment, but suggested that title to mines be not included, as evidently not intended by the language of the Spanish and Mexican deeds of grant.

LEGISLATURES GRANT DIVORCES

A couple of weeks after the organization of the First Territorial Legislature, the governor's second approval of a bill was that of one granting a divorce to John G. Capron of the First Judicial District, who, as set forth in the act, four years before, "by fraudulent concealment of criminal facts," was induced to marry one Sarah Rosser, and the act further recited that "notwithstanding the strongest legal causes exist for annulling said marriage, there is no law of divorce existing in this Territory." For the same reason Elliott Coues (later distinguished as a writer on the Southwest) was divorced from one Sarah A. Richardson and a divorce was granted between Mary Catherine Mounce and Absalom Mounce.

Possibly the most conspicuous example of the legislative divorce evil in Arizona was afforded by the passage in the Legislature of 1873 of an act divorcing Anson P. K. Safford, a resident of the County of Pima, from his wife, Jennie L. T. Safford. Whatever were the circumstances of the misunderstanding between the couple or any degree of justice that might have attended the decree, there must be recorded the glaring fact that the plaintiff in the case was none other than the governor of the territory.

The Tenth Legislature distinguished itself by the passage of what for years was known as the Omnibus Divorce Bill. This bill carried an act, No. 9, approved by Governor Frémont on February 7, 1879, forever releasing from the bonds of matrimony, with permission for both parties to marry again, no less than fifteen couples. The list follows:

Olive Augusta Middleton of Maricopa County from William Middleton; William Findley Smith of Yuma from Eudora Virginia Smith; George Sarrick of Pinal County from Ann J. Sarrick; Sarah Jane Munds of Yavapai from William M. Munds; Henry G. Lively of Maricopa County from Martha E. Lively; Lilly E. Janes of Yuma County from J. Clifford Janes; Lidia Jane Russell of Mohave County from George Russell; John J. Gosper of Yavapai County from Waitie E. Gosper; Candelaria Arnold of Mohave County from William F. Arnold; Smith R. Turner of Pima County from Lucinda Turner; Anna Atkinson of Yavapai County from Alex Atkinson; Samuel Dennis of Yavapai County from Benina Dennis; Jane Holmsley from Joel E. Holmsley; Mary Jane Pendwell of Yavapai County from Elanson Strange Pendwell; Josephine Waite of Yavapai County from Nathan W. Waite. During the same session other acts

divorced Anne Kelly from Daniel Kelly and Mary I. Showers of Yavapai County from Andrew J. Showers.

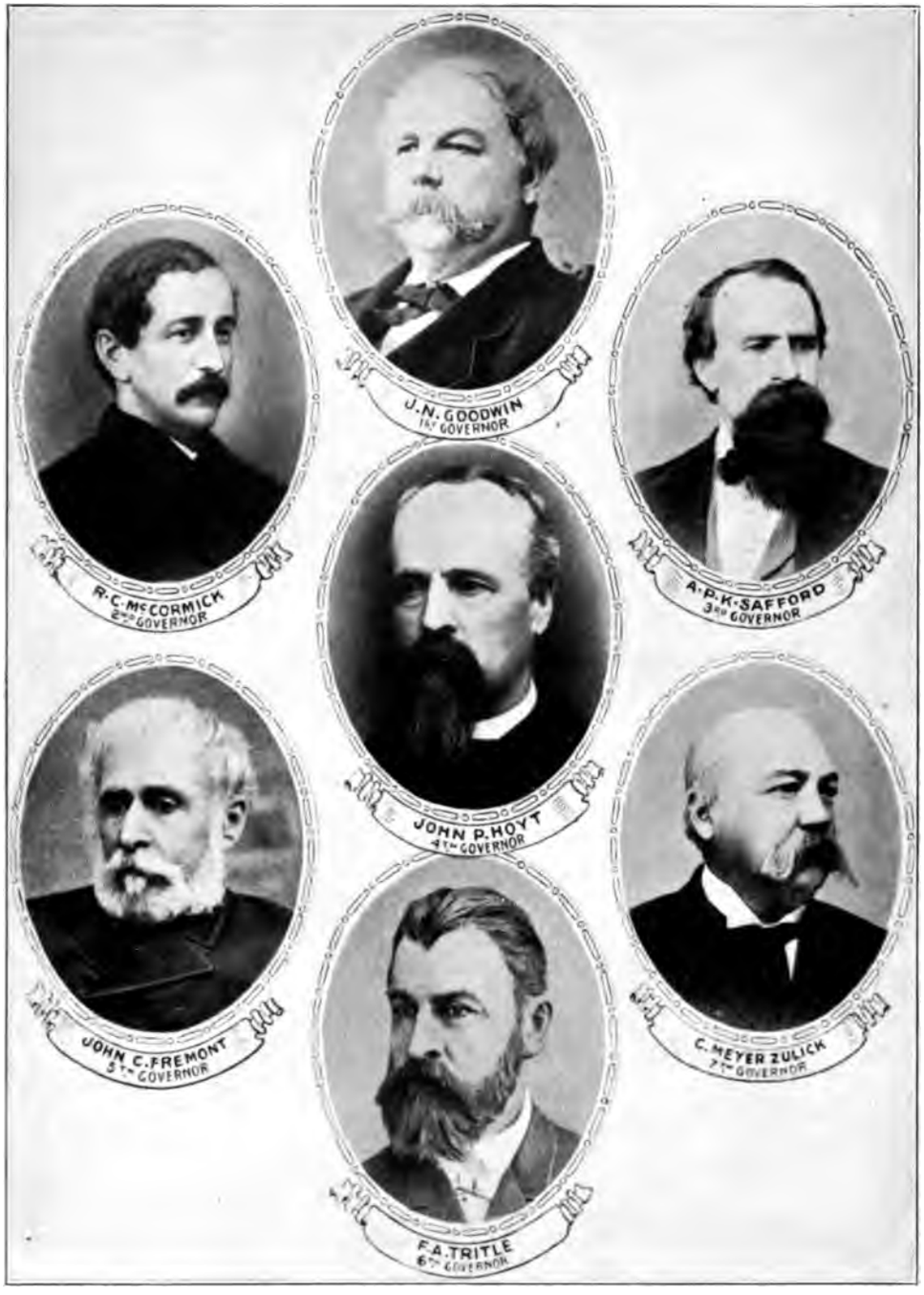
Down at the bottom of these most extraordinary proceedings is said to have been the fine Italian hand of Thomas Fitch, who happened at that time to have made Arizona one of his many "permanent" abiding places. He was elected to the Legislature, wherein he filled the post of chairman of the Judiciary Committee of the House. The start of it all is understood to have been around the paragraph that gave release to William F. Smith, noted as a resident of Yuma. In reality Smith was a prominent California physician, who had made only a brief visit to Yuma intent upon divorce. Another very conspicuous beneficiary was John J. Gosper, who at that time occupied the position of Secretary of Arizona Territory. Gosper had left a wife behind in Nebraska, where he also had held office, and he wanted to remarry, which he did soon after the legislative decree in his favor.

It would appear that the divorces granted were legal enough, for the Supreme Court of the Territory of Oregon had held valid an Oregon divorce bill, passed in 1852. The Supreme Court of the United States affirmed this decision, taking occasion to refer to the fact that in England divorce originally was a prerogative of Parliament and that legislative assemblies of the colonies had followed this example. The Forty-ninth Congress prohibited the granting of divorces by territorial legislatures.

WHEN RACING WAS MADE UNLAWFUL

In the Legislature of 1879, Maricopa County was represented by John A. Alsap and J. D. Rumberg, the latter a famous teller of stories and owner of a quarter section of land a short distance northwest of the Phœnix townsite on the Black Cañon road. Having lost some money on the lack of speed of a pony he had favored in betting, he introduced a bill prohibiting horse racing in Arizona. It is probable that the measure was seriously presented, but it was not taken in that spirit. One after another the members from the various counties arose solemnly to express their belief in the merit of the bill, but to state in sadness that their own counties were not quite ready for the reform. So, county by county, every subdivision was exempted from the provisions of the measure, except Maricopa. Then Alsap came to his feet. He stated that he was fully aware of the demoralization caused by horse racing, but, in deference to the prejudices of his constituents, he was constrained to ask still further elimination, that of all Maricopa County, except a certain quarter section, the description of which exactly fitted Rumberg's ranch. Thus the bill was passed, though it never was printed in the statutes.

Much in the way of constructive legislation was done in the session of 1881. On hand, provided with a well-stuffed "sack," was a large representation of the citizenship of Tombstone, who after a couple of failures, managed to secure the creation of the County of Cochise. This was fought by Tucson, which had been doing very well indeed as a supply point for the new mining camp, wherefrom had been coming as high as 100 mining claim notices a day for recording and wherefrom the sheriff had been drawing fees said to have run up to $25,000 a year. With much less trouble were created the counties of Graham and Gila, with seats of government, respectively, at Safford and Globe. Incorporations



GOVERNORS OF ARIZONA

also were granted to the towns of Phœnix, Prescott and Tombstone. This session, the eleventh, was the first to have twelve members in the Council and twenty-four in the Assembly.

GOVERNOR TRITLE'S ADMINISTRATION

The next Governor of Arizona, appointed March 8, 1881, to succeed Frémont, was Frederick A. Tritle. A Pennsylvanian by birth, he hailed from Virginia City, Nevada, where he had been in business as a stock broker. He had been a member of the Legislative Council in Nevada and had been an unsuccessful candidate for governor of the Sagebrush State. His Arizona appointment was at the instance of his old friend, Senator John P. Jones of Nevada. At once he became an enthusiastic Arizonan and gave strong assistance in securing capital to work her mines. He was a man of large social gifts. While on an eastern trip, and in attendance at a formal banquet in Boston, he put Arizona before the people of the Hub in a manner that won him applause after the first shock had passed. The first toast was, "The Governor of the Oldest Commonwealth to the Youngest." Governor Bullock of Massachusetts rose to respond. While Bullock was fussing with his spectacles, Tritle quickly came to his feet and, in most felicitous manner, thanked the astonished Bostonians for the honor that had been done Arizona in calling upon him, as the representative of the oldest commonwealth of the nation, to welcome the governor of the young State of Massachusetts—and then he told how Arizona had population and a degree of government and civilization long before the first wild Indian roamed the bleak forests of New England.

The twelfth session extended eastward the boundary of Mohave County, to include all of Yavapai County west of Kanab Wash and north of the Grand Cañon, provided for the funding of some bonds, offered subsidies to a few railroads, recreated the office of attorney-general and changed the county seat of Graham to Solomonville, an action overturned by a county referendum vote of 1915, that gave the courthouse back to Safford.

The one thing that brought the Twelfth Legislature out of dullness was the action taken in repeal of the bullion tax law. Both parties had declared against repeal and it may be said that every partisan legislator was pledged to let the law stand. But the repeal bill slid through both houses in some mysterious fashion. Attending on the session were a couple of prosperous-looking gentlemen who, on the evidence of an old resident of Tombstone, left that camp with $26,000 in greenbacks for which they were to render no accounting. The investment was a good one—for the mining companies. Yet the price was high, for President C. P. Huntington of the Southern Pacific a few years later publicly set the price of an Arizona Legislature at around $4,000.

A LEGISLATURE OF NOTORIETY

The Legislature of 1885 variously was known as the "Thieving Thirteenth" or the "Bloody Thirteenth," though the thieving may have been confined to recklessness with the taxpayers' money and it is not of record that there was bloodshed. It started off with a couple of weeks of delay in organization, the political parties and opposing interests being evenly divided. This gave the private secretary to Governor Tritle ample time to get out the first really

comprehensive message to the Legislature that ever had been known in the territory. The deadlock finally was broken by compromise, in which the committeeships and patronage were adjusted in a remarkable showing of amity. Never was a session quite so good to Prescott, where about $80,000 was disbursed in the charges of clerk hire and printing alone. There were forty-one committee clerks. It is probable that no other Arizona Legislature ever surpassed the thirteenth in the high intelligence of its personnel, and all the members were good sports and spenders. A councilman-at-large, who lived just across the street from the capitol, put in a mileage bill for transportation to and from the farthest corner of the territory, whereupon Bob Connell, a saloonkeeper and a man filled with hatred of "silk-stockings," forthwith put in a charge for a single half-mile, where he really was entitled to two miles. Bob thereafter was made chairman of the specially created committee on hydrography, whereof the clerk had no work save that of drawing $4 a day from Territorial Secretary VanArman. The former home of Governor Frémont was fitted up as a club by the generous business men of Prescott, all for the benefit of the legislators.

The great issues of the session were over an attempt to re-enact the bullion tax, and an effort to create the County of Sierra Bonita, whereof Willcox was to be the seat of government. The bullion tax was not re-established and Sierra Bonta died by only one vote. There also was trouble over a bill carrying a subsidy for construction of a connecting railroad between the county seats of Yavapai and Maricopa counties, but this failed through the action of DeForest Porter, representative from Maricopa, who secreted the original bill, his opposition based upon the wishes of his constituents. Subsidies were authorized, however, for railroads from the Santa Fé to Prescott ($292,000) and from the Southern Pacific to Phœnix ($200,000). The usual efforts to move the capital from Prescott at this session were sidetracked by a liberal distribution of territorial moneys to other towns. Tucson was given appropriation for the foundation of a university, Phœnix received an insane asylum (insane theretofore had been sent to Stockton, Cal.), Tempe was given a normal school and Yuma a levee. The session was notably prolific of memorials to Congress, the most important being one praying for the purchase from Mexico of land that would embrace a port on the Gulf of California. This movement has been repeated many times since, despite a provision of the Mexican Constitution that makes death the punishment for any attempted shrinkage of Mexican territory.

There was some talk of criminal prosecution of certain members of the Thirteenth, and Editor John Marion and a few other witnesses were called before the next grand jury to testify concerning the appropriations and particularly the method used in farming out the clerkships to figureheads. But nothing was done. It was feared that any fuss raised would lose Prescott the capital. Then, Prescott had absorbed most of the money, anyhow.

SWITCHING TO DEMOCRACY

Grant Oury, who for a term had represented Arizona in a Confederate Congress, and who had latterly sought similar honor at Washington, finally achieved this ambition in 1880, when he was elected to the office of delegate over M. W Stewart, republican, by a majority of about 400, in a total vote of 7,700. Oury

George F. Coats

Judge De Forest Porter

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was re-elected in 1882, when he received 6,121 votes, his opponent, Judge De Forest Porter, receiving about 5,200.

Just to show that personality still counted, a republican was elected in 1884, C. C. Bean, a pioneer mining man of Yavapai County, who was opposed by C. P. Head of the same county, one of the leading merchants of Prescott and a man of notably high standing. Bean's vote was 6,820 and Head's 5,671.

In 1886 democracy came back and remained in the saddle for many years thereafter. This was the year of the advent, territorially speaking, of Marcus A. Smith, who had served with distinction as district attorney of Cochise County. Bean ran again, but was beaten decisively, the vote standing, Smith 6,355, Bean 4,472. In 1888 Smith was re-elected by a vote of 7,686, compared with 5,832 for Thos. F. Wilson of Tucson. Smith's majority mainly came out of the Salt and Gila River valleys, where he made the campaign on opposition to a congressional act seeking to establish a Court of Private Land Claims.

CHAPTER XXVII

CLEVELAND TO McKINLEY

Troublous Political Times through the Administrations of Governors Zulick, Wolfley, Irwin, Hughes and McCord—The Asylum Inquiry—Change of the Capital to Phœnix—Lost Laws—Hold-over Muddle—Yuma Prison Labor Contract—New Code.

There was a change of national administration March 4, 1885, when Grover Cleveland was seated as President. Great was the rejoicing among the democrats of Arizona. At Phœnix the world was invited to a celebration. There was keen rivalry for the offices. But the governorship went to a very dark horse, and not an Arizonan at that, to C. Meyer Zulick of New Jersey, a former New York political associate and personal friend of Cleveland. It is not improbable that Zulick, one of the cleverest of politicians, had indicated a desire for recognition, but the date of appointment, in the fall, found him seventy miles below the international line, at Nacozari, Sonora, where he had been sent to straighten out the financial difficulties of some Newark, N. J., clients, who had mines in the locality. The news was sent him by W. K. Meade of Tombstone, whose office of United States marshal had floated to him on the same tide. The messenger was M. T. Donovan, who later told how he found the future Governor of Arizona a prisoner, hostage for the payment of his company's debts and how, at 2 a. m. Zulick was smuggled from his quarters. But the great news was not broken till the buckboard had been driven across the line, near where Douglas now stands.

As territorial secretary there was appointment of Jas. A. Bayard, son of the secretary of state. On hand Governor Zulick found problems of state well worth attention. He was besieged with applications for office and had difficulty in getting the jobs away from the republican occupants, who had some rights of tenure on the basis of confirmation by the territorial council for a two-year term. Possibly the most difficult job of elimination was that of the board of directors of the insane asylum, which lately had completed construction of an asylum building near Phœnix. The governor utilized an act empowering appointment of an honorary board of directors, which proved to be an investigating committee. This body returned twelve accusations against Directors Stewart, Lincoln and Hatch, particularly covering the sale, at too low a price, of $100,000 in bonds voted by the Thirteenth Legislature. At a hearing in Prescott, the board members refused to acknowledge the authority of the governor or to produce their books. Governor Zulick, thereupon overruling all objections to his status as inquisitor and judge, found the defendants

guilty and, on May 15, 1886, ordered their removal. The members refused to accept dismissal but finally, under a decree of court, were ousted on November 23. The governor was more than severe in his summing up the whole transaction. Much else there was of stormy contention during the administration, most of it due to the warring democratic factions, a dispute that soon grew to have serious personal feeling, but it would take more than a pamphlet to set all of it forth.

THE MEASLY FOURTEENTH

The Fourteenth Legislature was so very different that it was dubbed in Prescott "The Measly Fourteenth." It is a fact, however, that a number of the members really were prostrated with the measles and mumps. One of the first things done was kill an act of the former Legislature that had granted Patrick Hamilton, one of the period's most brilliant writers, an appropriation of $5,000 a year for salary and expenses as commissioner of immigration. The session now may be especially remembered by its creation of the Live Stock Sanitary Board, through which Arizona since has been kept free of stock disease and of olden-time range "rustling."

Governor Zulick refused to acknowledge the power of the Legislature to transfer his power of pardon and declined to honor the provisions of an act of the Thirteenth Legislature creating a board of pardons. The act had been passed on recommendation of Governor Tritle.

A side notation of this period concerns Fred Smith, son of a prominent Virginia politician, who had been appointed receiver of the Tucson land office during a time of unusual reclamation activity. After a season of large social activity, Smith disappeared, his accounts short about $30,000. A part of the money was repaid the Government and Congress authorized the crediting of sums paid Smith by settlers. Nearly fourteen years later, Smith's bondsmen, most of them Phœnix residents, were compelled to pay the balance, under an order of the Supreme Court of the United States.

A CAPITOL ON WHEELS

The end of the Zulick administration was a veritable whirl of political incident. After the election of 1888 it became evident that Prescott's hold on the capital, maintained through the years at the cost of many sacrifices and trades, at last was slipping. The Fifteenth Legislature began its session in Prescott January 21, 1889. Some of the members claimed they had been met even with hostility by the local population, for there was evidence that removal had been determined upon both by a legislative majority and the governor. January 26 the governor's signature was affixed to Act No. 1, which declared that "on and after the 4th day of February, in the year of Our Lord Eighteen Hundred and Eighty-nine, the permanent seat of government and capital of this Territory shall be, and the same is hereby located and established at the City of Phœnix, in the County of Maricopa." Then there was recess till February 7. Then there was a joyous junket around by Los Angeles, with Pullmans and entertainment furnished at the expense of a number of patriotic citizens of Phœnix. There was a nearer and cheaper mode of transportation, by stage, between the two cities, but railroad transportation for legislators in

those happy days was by pass. Indeed, it had come to the point where the annual transportation given by the Southern Pacific and Santa Fé had become considered a part of the legislator's legitimate emoluments of office. Possibly this was costly to the companies, but it saved them much adverse legislation that descended upon them in later, passless, days.

At Phœnix the refreshed statesmen met in pleasant halls fitted up on the upper story of the new city hall, wherein most of the main floor was given over to the offices of the governor and secretary and to the territorial library.

Among the acts passed at the fifteenth session, possibly the most notable was that making train robbery a crime punishable by death. There was prohibition of the carrying of deadly weapons in towns, a subsidy of $3,000 was offered for the development of any artesian well, Gila County was given the northern part of Tonto Basin at the expense of Yavapai, tax exemption was offered for six years to any railroad that should be built to the Grand Cañon, ability to read and write the English language was made a necessity for holding office, provision was made for securing a capitol site in Phœnix, with S. M. Franklin, C. W. Johnstone and T. D. Hammond as commissioners, and authorization was given for the assembling and for the costs of a statehood convention.

Also to be considered are the "Lost Laws," eleven bills that had been put away by Governor Zulick in the closing days of the session and that later were brought to light and to be certified as laws by the new secretary, N. O. Murphy, on the ground that they had remained with the governor ten days during a session of the Legislature, without adverse action on the part of the executive. Few of the eleven were of importance. There was an abortive sort of Sunday-closing act, one for compulsory school attendance, and a university appropriation act.

That a political grudge may have long life is shown by the action of the Second State Legislative Senate of Arizona, which in January, 1915, rejected a House joint resolution inviting C. Meyer Zulick to visit Arizona. The resolution and Zulick himself were denounced by State Senator Morris Goldwater of Prescott, who detailed all the circumstances that led to Prescott's loss of the capital. It was charged that the removal largely was due to the presence of "a sack of money sent to the Hon. J. H. Carpenter, to be used where it would do the most good." Goldwater detailed also how he had fought in the democratic conventions at the time against endorsement of the Zulick administration and how his policy had remained constant unto the latter days. So the resolution was defeated.

QUICK CHANGE OF GOVERNORS

President Harrison took office March 4, 1889. This event had much to do with the fortunes of Governor Zulick and affected very materially the actions of the Fifteenth Legislature, wherein the republicans had control of both houses, with Chas. R. Drake of Tucson President of the Council and John Y. T. Smith of Phœnix Speaker of the House. March 22, for political advantage, remembering a few of his initiatory experiences, the governor nominated a full set of territorial officials from among his own particular following. These nominations all were rejected by the Council, for telegrams had been pouring in

on the President depicting the woeful conditions of his party in Arizona and asking immediate action on gubernatorial appointment. So, early in April, Zulick was notified of his removal and to the place, through the influence of Secretary Noble of the Interior Department, was appointed Lewis Wolfley, a Yavapai County mining man and surveyor. Wolfley started from Washington for home as soon as he was assured of appointment. Telegrams awaited his coming at every station and he was well advised of conditions that had developed within the territorial government.

From a republican viewpoint, the situation in Phœnix was a serious one. Governor Zulick, ever mentally active, had made the astounding announcement that he would refuse to recognize the legality of a session of the Legislature that extended over a period of sixty days, all inclusive, dated from the time of the legal assembly of the body. In this he was sustained by the language of a congressional act that may, however, have applied merely to the compensation of the members. But the republicans claimed that the intent of the act was to cover working days and not elapsed time. They wanted to claim the time they had spent on the Los Angeles trip. Zulick insisted that there could have been no legal business after March 22. The democrats, save only a few, quit the session. The republicans held on, adjourning from day to day, awaiting the coming of Wolfley.

The new governor arrived April 8, with his appointments fairly well determined. The last of them were confirmed April 11 and then the belated adjournment was taken.

BIFURCATED TERRITORIAL GOVERNMENT

For some time thereafter Arizona rejoiced in possession of two sets of officials, de facto and de jure, for the democratic incumbents refused to surrender. The question went into the courts especially upon the rights of Thomas Hughes, the Wolfley appointee as auditor, confirmed April 8. The new attorney general, Clark Churchill, urged that previous legislatures, back to the eleventh, had passed the sixty-consecutive-day limit without dispute and in the additional days had enacted much legislation of importance. The session of the eleventh, in 1881, was after Congress had extended the limitation from forty days, the legislative session at the time New Mexico was formed.

Though succeeding legislatures never dared another such experiment, Arizona court decisions rather favored the republican side, but on grounds outside the main sixty-day contention. The republicans gained control of the treasury and the democratic officeholders were left without funds, a condition somewhat shared by the territorial government at large, for the appropriation bill had also been left in dubious shape. Governor Wolfley appealed to the President and Congress for help, instancing that he was powerless to exercise any authority at the penitentiary, "where the Territorial Prison Board are now actually in default to the territorial treasury about $6,000, which they acknowledge, and one of their number has absconded." This was a reference to "Little Steve," Secretary Geo. H. Stevens of the board, who had made good his escape to British Columbia. The muddle at large was settled by a gradual withdrawal of the harassed democratic officials, who found no pleasure in official life to which no pay was attached. Some of them were given their claimed emolument by subsequent democratic legislatures.

Having cleared away the wreckage, Wolfley's administration ran more smoothly, though soon complicated by the starting of an administration organ at Phœnix, the Republican, into which went a large part of the official salary list.

THE RESTRAINT OF THE HARRISON ACT

The election of 1890 was a disastrous one to the republicans in Arizona. Mark Smith was elected congressman over Geo. W. Cheyney of Tucson and a democratic Legislature was chosen. In this Legislature, the sixteenth (in 1891), C. Meyer Zulick was seated as councilman from Maricopa County, which in the lower house was represented by T. E. Farish and L. H. Chalmers, all democrats. The Republican's job office had turned out an elaborate pamphlet, on Arizona's Resources, just in time, as Commissioner of Immigration John A. Black had his office taken from under him by the second act of the session. The third abolished the office of territorial geologist. The fourth, killing fiestas by prohibiting gambling within them, was novel in that it was supported by the regular gambling fraternity of the territory, represented by one of their number, Fred G. Hughes, President of the Council. The Friday following the first day of February was established as Arbor Day. Possibly in prophetic hope of the next national election, the governor was given power to remove any of his or his predecessor's appointees when he thought the public interests might be subserved. A maximum railroad fare of 6 cents a mile was ordered. Materially affecting construction of a railroad through Prescott from Ash Fork to Phœnix was a bill passed giving a tax exemption for twenty years. President Harrison had vetoed a subsidy bill before this, much to the distress of the people of Yavapai and Maricopa counties. Right here may be stated the fact that the Harrison Act of Congress, limiting the indebtedness to which the territories might subject themselves, was the best safeguard ever known by the lean treasury of Arizona. The Sixteenth Legislature did much to purify elections by passage of the Australian ballot law, which, with slight modification, still is in effect. Statehood seemed so near that provision was made for a constitutional convention and for the election and pay for the delegates, who were to assemble in Phœnix in September, 1891. Gila County was given more of Tonto Basin. A military code was adopted. Authorization was given for the maintenance of a force of rangers. A start on the road to prohibition was denial of liquor to drunkards or minors. Creation was made of a board of railroad commissioners and provision was made for an exhibit at the Chicago Fair.

Possibly the best work of the Wolfley administration was the funding of the territorial bonds, which had been a rather complicated and heavy burden, drawing interest generally at 7 per cent or more. In the Legislature of 1895 this service was given appreciation by a vote of $5,000 to ex-Governor Wolfley, to pay his expenses in connection with the funding, whereby, in the language of the bill, "the Territory has been saved $59,006.40 in annual interest." The bill was vetoed by Governor Hughes, but was passed, notwithstanding.

WOLFLEY'S IMPEACHMENT OF THE SUPREME COURT

Temperamentally, Governor Wolfley was hardly fit for the trials and irritations of his office. He was a man of positive, rugged character, who tolerated no

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argument concerning his convictions. He wrote altogether too many letters to the secretary of the interior concerning the administration of Arizona affairs, and finally was removed from office. One of the principal causes for his removal is said to have been the official character he gave his newspaper. After leaving the office of governor, Wolfley devoted himself to an irrigation project near Gila Bend. When construction had been almost completed, the dam was swept away by a flood, and in the resulting expense Wolfley lost control of the enterprise. There was much litigation, carried to the Supreme Court of the United States, decided adversely to Wolfley's interests. Thereupon, he distinguished himself by addressing the national House of Representatives, demanding the impeachment of the justices of the Supreme Court, possibly one of the most extraordinary applications ever presented to Congress. This application was made in good faith and was supported by a printed petition and argument. Nothing was done with the matter, much to Wolfley's disgust. He died in Los Angeles in September, 1910, from injuries received in a street car accident, and his body was taken to Prescott for burial.

A PEACEMAKER'S DIFFICULT ROLE

The new governor of Arizona was John N. Irwin (rep.) of Iowa, the last executive to be appointed from outside of the limits of the territory. He was rather a distinguished man in his own bailiwick, and at one time in his career was minister to Denmark. But in Arizona, according to the ideas of the times, he was far from satisfactory as an executive. Possibly this was reflected in a remark said to have been made by him, "I would sooner be a constable in peace than a governor in hell." He started in with the idea that a political millennium could be reached here by the simple process of appointing many democrats to office. As a result, he had the support of neither party. Himself a man of unblemished probity, several of his appointees fell under suspicion, and his prison warden had investigation by a Yuma County grand jury on a charge of taking away the furniture from the superintendent's house when he departed from the job. In the leading offices of his administration he gathered some strong men, including William Herring of Tombstone as attorney-general, William Christy of Phœnix as treasurer, and Thomas Hughes of Tucson as auditor. M. P. Freeman of Tucson was made chancellor of the university. Governor Irwin spent a considerable part of his short term out of the territory, dropping the burdens of the government on the capable shoulders of Secretary N. O. Murphy.

Secretary Murphy came to the office of governor in legitimate line of succession in May, 1892, in his place as secretary being appointed N. A. Morford, owner of the Phœnix Herald. Murphy's term was short, however, for in the fall of that year Grover Cleveland was elected President.

In the 1892 election Mark Smith again went to Congress by a substantial plurality of votes over W. G. Stewart, the republican nominee.

Governor Murphy, however, had most to do with the Seventeenth Legislature of 1893, which body met February 13 and adjourned April 13. Its first act was the offering of a reward of $5,000 for the capture, dead or alive, of the Apache Kid. Provision was made for a reform school at Flagstaff, the building to be constructed and the school to be maintained by general tax.

HOW A GOVERNORSHIP WAS LANDED

The new democratic governor was Louis C. Hughes of Tucson, appointed April 5, 1893. This appointment, so near the date of the inauguration of the new President, might indicate a degree of harmony in the territorial democratic ranks. It was very much otherwise, however; a battle for the office had been going on for months, with many participants. Hughes was decidedly at outs with the majority of the central committee, which was headed by a Tucson gambler. Hughes was an early-day advocate of woman suffrage, prohibition and the suppression of gambling, and thus managed to secure much support both in Arizona and in the East. It was told that the final straw which gave him the office was the presentation to the President of a photograph that showed the chairman of the central committee busily engaged in dealing faro with a mixed racial clientele before him. So Hughes was appointed in time to avoid complications such as had been known before.

The new territorial secretary was C. M. Bruce. One of the most notable appointments made by Hughes was that of F. J. Heney of Tucson as attorney-general. For a while it was understood that Heney might be considered the government of Arizona, but this condition was shaken off by Hughes after a short time, and Heney was succeeded by T. D. Satterwhite of Tucson.

The Hughes administration was a stormy one, mainly due to causes within his own party. In 1894 an attempt was made to indict him for various alleged misfeasances, but he had the active support of a considerable portion of the people and continued in command of the situation for several years.

The eighteenth legislative session started its work by the establishment of a board of railroad commissioners. Possibly the most important act of the session was that creating a board of territorial control to take up duties theretofore in the hands of separate commissioners for the insane asylum, prison and reform school. This new board, consisting of the governor, auditor and a secretary, the last named an off-party appointee of the governor, has endured to this day, despite biennial attacks upon it as conferring too much power upon the executive. An interesting paragraph in the new election law passed was that which prohibited candidates from asking any person or persons, directly or indirectly, to drink beer or other intoxicating drinks, thus striking directly at an electioneering practice that had been both time-honored and expensive. That preparedness for defense had consideration in those days was shown by authorization for the formation of the "American Guard," out of pupils in the high and common schools of the territory, a body that should be placed under military discipline. The grant to ex-Governor Wolfley has been mentioned heretofore. Authorization was given for the establishment and maintenance of high schools in school districts or union districts. Political animus is shown in the record of an appropriation of $1,222 to the Arizona Gazette Company over the veto of the governor, this a printing bill two years old. Classification was made of the counties into six divisions. The governor was authorized to grant paroles. The County of Navajo was created out of the western portion of Apache County. The governor was authorized to appoint a board of immigration commissioners.

LEGISLATIVE MANEUVERING

The Navajo County act was the most exciting feature of the session. There was no particular objection to the creation of this county, but, coming up in the

very last hours of the session, it served as a bulwark behind which to fight the removal of the territorial prison from Yuma to Prescott, a change that was imminent. In the turmoil which continued till midnight, Speaker Carpenter, representing Yuma County, at all interruptions formally observed, "The gentleman from Apache (Crosby) has the floor." Thus for hours the bill was kept before the House. At the fateful striking of midnight it had been usual, if business remained unfinished, to set the hands of the clock back, or stop the clock altogether. An experienced janitor, with stepladder, appeared to perform the usual ceremony, but was ordered away by Carpenter, who brought down the gavel and declared the House adjourned sine die. This not only killed prison removal, but left the appropriation bill unpassed. The territorial auditors, however, honored all regular accounts for the succeeding two years and little actual damage was done by the omission.

One of the pleasant measures that passed the Legislature of 1895 was that of establishing the office of commissioner of immigration in each of the counties. The commissioners were to receive a salary of $50 a month, payable out of the county treasury, yet the appointments were to be made by the governor. The appointees almost without exception were proprietors of newspapers. The administration thus would secure at least one journalistic supporter in each county. The boards of supervisors generally failed to provide the necessary appropriations, denying the legality of the act. Its legality was established, however, in a suit brought by the Maricopa County commissioner, T. C. Jordan. But Hughes was removed from office not long thereafter and his idea did him little good.

Another action of the Eighteenth Legislature that had lasting consequences was the passage of a memorial to Congress asking "such curative and remedial legislation as will protect the holders of all bonds issued under authority of acts of the Legislative Assembly, the validity of which has heretofore been acknowledged, and that you so further legislate as to protect all innocent parties having entered into contracts resulting from inducements offered by our territorial legislation and relieve the people of the Territory from the disastrous effects that must necessarily follow any repudiation of good faith on the part of the Territory."

The previous election (1894) had resulted in the return of a republican congressman, former Governor N. O. Murphy. It should be stated, however, that this was not an indication of republican preponderance, but was due to the fact that the vote was divided among three candidates. The democrats had nominated John C. Herndon of Prescott, possibly their strongest man. Much of the strength that would ordinarily have gone to him was taken by Wm. O. O'Neill of Prescott, who had entered the contest as the candidate for the populist party, to which he had gone from the republicans. The vote stood: Murphy, 5,686; Herndon, 4,773; O'Neill, 3,006.

Governor Hughes was removed from office March 30, 1896, his political enemies at last being successful. His office had been investigated the previous July by an inspector of the Interior Department. There had been charges that Hughes had worked against the democratic nominee for Congress in the previous election and had used undue influence in the Legislature to secure the passage

of acts that he favored. Governor Hughes held on for two days and then surrendered his office to Secretary Bruce.

FRANKLIN SUCCEEDS HUGHES

The new governor, B. J. Franklin, was nominated the same day that Hughes was removed, and was confirmed promptly. He took office April 18. He had been a resident of Phœnix for five years, engaged in the practice of law. Most of his active life had been spent in Kansas City, from where he had been elected to Congress in 1876, thereafter serving two terms. For four years following 1885 he was consular agent at Hankow, China. At the time of his appointment as governor he was considered a "single standard democrat," something assumed to have had influence.

One of the early acts of the Nineteenth Legislature, which met in January, 1897, was the codifying and revising of the laws in relation to live stock. Provision was made for the erection of a capitol building, with an initial appropriation of $100,000, this money to be raised by the sale of bonds. New railroads were exempted from taxation for fifteen years, and the Santa Fé was given the courtesy of an act under which it was made legal to absorb the Atlantic & Pacific Railroad, which soon was to be sold under foreclosure of mortgage. A grant of $3,000 was made to the Society of Arizona Pioneers for the preservation of Arizona's historical records. This amount later disappeared when under the charge of none other than Fred G. Hughes, President of the Territorial Council and also an officer of the Pioneer Society, and was one of the reasons why Hughes spent a few years in the penitentiary.

In an effort to find a civic gift acceptable to Flagstaff, the reform school then at that city was changed into a home for the insane. The reform school idea was not lost, however, and a special tax was levied for the establishment of such a school at Benson.

A memorial was passed against the cession by Congress to Utah of that part of Arizona lying north of the Grand Cañon, a cession possibility that endured up to the date of statehood. There was also a protest against the passage through Congress of an act (which was passed) permitting funding of the Prescott & Arizona Railroad bonds and of the fraudulent Tucson & Globe Narrow Gauge Railroad bonds.

The closing hours of the session were torrid, due to disagreement between the House majority and Governor Franklin. The House passed a resolution asking an immediate change in the office of governor. But the Council not only tabled the resolution, but almost unanimously passed a resolution of confidence in Franklin's integrity and ability. The governor had vetoed a number of bills, including salary increases to county officials and tax exemptions to beet sugar factories, reduction works and irrigation enterprises. Part of the governor's unpopularity with some legislators was due to his charge that it had only needed $2,000 to defeat a legislative bill that contemplated taxation of the net product of mines.

A committee of the Nineteenth Legislature made an investigation of the board of control, which, under Hughes, had been charged with gross irregularities. It was found that things were wrong in two points, the pardoning of a

convict from the penitentiary to act in a clerical capacity at Yuma and the purchase of a tract of land without publicity or advertising.

A LABOR DONATION BY THE TERRITORY

About the most unpopular action of the Hughes administration was an agreement entered into with the State of Arizona Improvement Company, a corporation organized by Eugene S. Ives for the digging of a canal from the Colorado River above Yuma. It was appreciated that the Yuma country needed such a ditch, but the contract would have thrown three-fourths of the expense upon the territory. The canal company for ten years was to have the labor of all available convicts, the territory to guard and feed the men and to receive for their labor 70 cents a day per man, with the proviso that this remuneration was to be received in the form of "water rights" in the canal that was to be dug. This did not in any way include the territory as an owner of the canal; it simply gave the right, at a stated price of $20 an acre, to purchase water, at the regular service price, from the canal company for the irrigation of any lands that the territory might then or thereafter control. There was no limitation as to the character of the work that the convicts might have been compelled to do. They could have been called upon to labor on a railroad if the company so chose. Possibly some such idea was in view, for the canal construction would hardly take ten years, the term of the contract. The company was about ready to proceed with its work when Hughes suddenly retired from office. His successor, B. J. Franklin, absolutely refused to recognize the prison contract, uniformly referring to it in terms too forcible to be printed. The company was denied a draft of prisoners and suit was brought, which, in the Arizona courts, was decided in favor of the company, but which later, in the Supreme Court of the United States, went in favor of the territory. Gov. M. H. McCord, who followed Franklin, had been citizen member of the territorial board of control at the time the canal contract was made. He insisted upon the purchase by the corporation of $30,000 worth of machinery as evidence of good faith and then turned over about 100 convict laborers. The canal company failed in an effort to secure as subsidy from the City of Yuma about 1,000 city lots remaining unsold in the possession of the municipality. Some work was done upon a canal above Yuma, but soon was stopped. When the prison contract was summed up, it was found that the territory had lost through its operation just $13,741. In addition, eleven men had escaped from the camps and only four had been recaptured. The company, in return, owed the territory, under the contract, $7,500—in water rights.

In the election of 1896, Marcus A. Smith, democrat, was elected delegate to Congress, receiving 6,065 votes. His opponents were A. J. Doran, republican, and Wm. O. O'Neill, populist, who received, respectively, 4,049 and 3,695 votes.

RETURN TO REPUBLICANISM

Following the seating of William McKinley as President in March, 1897, Myron H. McCord became governor of Arizona, taking his seat July 29. He had been in public life for many years. He had served five terms as member of the Legislature of Michigan, and in 1889 was elected a member of Congress from Michigan, seated close to William McKinley, a happy circumstance that helped

materially in assisting him to the office of governor. He came to Arizona in 1893, bought a farm and soon thereafter entered office again as citizen member of the board of control. He was one of the few officials who failed to accept dismissal at the hands of Governor Franklin, who to his place had named T. J. Wolfley, then editor of the Phœnix Republican, and took his protest to the courts.

Secretary Bruce was succeeded by Chas. H. Akers. A new chief justice succeeding A. C. Baker was named June 28, 1897, in the person of Hiram C. Truesdale of Minneapolis, who died in Phœnix October 28 of the same year. Then to the place was appointed Webster Street of Phœnix, an Arizonan of twenty years' standing, but only after a typically ugly Arizona campaign had been waged against him. That he finally secured the place has been credited to the support of Governor McCord.

McCord had inherited from Franklin the legacy of the prison contract, which had had a favorable decision in the Supreme Court of the territory. He directed dismissal of an appeal to the Supreme Court of the United States and ordered that the contract be carried out after seven additional stipulations had been secured by the canal company. This contract was the cause of much disturbing argument during McCord's term, assailed especially by T. E. Farish on behalf of the Frnklin administration and, most bitterly, by Wm. O. O'Neill, representing the populists.

In March and April, 1898, Governor McCord gave the strongest of support in the work of organizing an Arizona cowboy regiment for service in the Spanish war, a body later cut down to only two troops of the First United States Volunteer Cavalry. Rather fired with the fever of war, the governor then took the field himself, and in July secured from his friend, the President, command of a regiment of infantry recruited in the Southwest, with three companies raised in Arizona.

Governor McCord had a long and active political life. About the time of President Roosevelt's accession he was made United States marshal for Arizona. For a while he managed a Phœnix newspaper, but he was in official harness when he died, in April, 1908, for two years having been collector of customs at Nogales.

When McCord marched off to war, his place was filled by the appointment of N. O. Murphy, for the second time made governor of Arizona. His oath of office bore date of August 1, 1898; a second oath was filed by him July 14, 1899.

The part taken by Arizona in the Spanish war is told in a separate chapter. This service was brief and by the fall time most of the participants were back in Arizona, some of them returning to accustomed political activity.

Lieutenant-Colonel Brodie, mustered out with the First Volunteer Cavalry, returning with his arm in a sling from injury by a Spanish bullet, was made the republican nominee for delegate to Congress, in opposition to Col. J. F. Wilson, democrat. Several other Rough Rider officers were nominated in various parts of the territory, but, whatever the ticket, it is notable that not one was successful in the November election.

LEGISLATION AND POLITICS

The Twentieth Legislature met January 16, 1899. It gave a tax exemption of fifteen years to water development enterprises; created the County of Santa

OLD CAPITOL AT TUCSON, LATELY DEMOLISHED

Cruz out of southern Pima County; gave Chas. D. Poston a pension of $25 a month; authorized a revision of the laws; provided for the completion of the territorial capitol; gave new railroads a ten-year tax exemption and cut off all financial support to the National Guard. An appropriation was made for the burial of former Territorial Secretary John J. Gosper, who had died, penniless, in the Los Angeles County Hospital.

The doubt concerning the form of appropriation to be expended at Flagstaff was resolved finally by turning over the building, grounds and money to the normal school board. Thus was started the Northern Arizona Normal School.

Another memorial was sent to Congress covering especially the Tucson & Globe Narrow-Gauge bonds, which were declared fraudulent and without consideration. Statehood was asked of Congress, more pay for the legislators and an appropriation for the survey of a water storage damsite on the Gila River. A move to tax the mines more heavily was defeated, it was told, at a cost of only $9,000, the mining fight led by H. J. Allen of Jerome.

Morris Goldwater was elected president of the Council, the choice being notable for the reason that his opponent for the honor was none other than George W. P. Hunt of Gila County, who seems then to have met about the only defeat of his political career. As speaker of the House, the unanimous democratic choice was Henry F. Ashurst, now one of the Arizona senators. Ashurst had served in the House two years before, being elected at the age of only twenty-two.

The Twentieth Legislature authorized the governor to appoint a commission of three lawyers with broad authority to "revise the laws and eliminate therefrom all crude, improper and contradictory matter and also to insert such new provisions as they may deem necessary and proper." To this commission Governor Murphy in March, 1899, appointed C. W. Wright of Tucson, J. C. Herndon of Prescott, and L. H. Chalmers of Phœnix. The death of Mr. Wright in December, 1900, caused a vacancy that was filled by the appointment of Judge R. E. Sloan of Prescott. The report was submitted to the Twenty-first Legislature, by which it was passed with few amendments.

The republican territorial convention which met in Phœnix, April 30, 1900, for the selection of delegates to the national convention, was remarkable mainly for the bolt of the Yavapai County delegates, headed by Joseph E. Morrison of Prescott, later United States attorney. The bolt immediately followed a call for a speech from Robert E. Morrison, then United States attorney. The row was really between Isaac T. Stoddard, who was leader of the Yavapai delegation, but whose faction had lost in the territory generally to a combination headed by ex-Governor McCord and C. H. Akers.

One of the high lights of Arizona political history was the territorial democratic convention in Phœnix, September 12, 1900. From start to finish it was a riot, with its membership divided and with two sets of officers upon the opera house stage, not to speak of the sheriff and chief of police. The trouble was between factions supporting Marcus A. Smith and Col. J. F. Wilson. It resulted in the nomination of both and both accepted from the same rostrum, with thanks. Wilson would have abandoned the weary struggle early had his wife not informed him that "she'd sooner die than be a quitter." But he did quit a few weeks later and, though the democrats were very much split up for the time

being, Smith was re-elected, just as usual. The republicans in the same year nominated as their congressional candidate Governor N. O. Murphy.

Till the completion of the capitol building in Phœnix, Arizona's seat of government had been on wheels. The government had been inaugurated at Navajo Springs in December, 1863, in the midst of a snow storm. There was a brief stop at the Chino Valley Springs until Prescott was selected as the first real seat of government.

The meeting place of the First Legislature in the winter of 1864-5 was a long one-storied log house on Gurley Street, fronting the north face of the plaza. Part of this building still was standing at the time of a Prescott fire in 1900. It was told that the structure was built for the occasion, the logs hewn by hand; the roof was covered with shakes and the floor was of whipsawed pine. Illumination at night was by tallow candles. The heating arrangements were inadequate and the cold wind from the snow-covered hills whistled through the illy-chinked crevices between the logs. Yet in this house was adopted the Howell Code, the foundation of all subsequent Arizona laws. The second session was in more comfortable quarters, with refreshments very near at hand. It was held in the old Montezuma saloon building, with the Council in the upper story and the Assembly below. The third session was held in the old court house, a two-storied log-and-frame building at the northeast corner of the Prescott Plaza.

October 4, 1867, the permanent seat of government of the territory was established at Tucson, to be effective November 1, 1867. Tucson from the first had tried to secure the capital. She had lost by a tie vote in the Council in 1866. Then had been compromise suggestions of La Paz, Walnut Grove, and of the establishment of a new capital city, to be named Aztlan, at the mouth of the Verde River. At last Tucson was victorious, through the desertion in the Assembly of representatives from Pah-Ute and Mohave. The vote stood 5 to 4 in the Council and 9 to 7 in the Assembly. This was when Poston claimed that McCormick sold Prescott out in order to secure the support of the south in his congressional aspirations.

It has been told that the first legislative sessions in Tucson were held in Congress Hall, a gambling saloon, but there has been found a record to the effect that sessions of the Legislature were held in three locations, in what later was called the New Orndorf Hotel, in the Charlelou Block and in a long adobe building belonging to Tully & Ochoa on the south side of Ochoa Street, between Convent Street and Stone Avenue. The one wherein the last Tucson session was held only lately was demolished. It is told that the members found convenient filing places for papers in chinks opened with their knives between the adobe bricks.

In 1875 a bill was passed to locate the capital permanently at Tucson, but it was vetoed by the governor. At the following biennial session there was an accession of strength, possibly financial, to the northern side of the Legislature and the capital again was changed, to remain at Prescott till shifted to Phœnix in 1889. Legislative chambers were found in Curtis Hall in West Prescott. The territorial officers were housed in quarters around the city, the governor and secretary having chambers in an end of the public school building. Better

PRESCOTT COURTHOUSE, 1877

GURLEY STREET FROM CORTEZ, LOOKING WEST, PRESCOTT, 1877

quarters later were provided at the new city hall on the Gurley Street hill, a brick structure later used as a school.

Rather at the instance of the representatives of Yavapai County and as one way of keeping the capital at Prescott, the Legislature of 1881, on the ground of dissatisfaction with the figures of the federal census, provided for a territorial census, to be taken by the supervisors of the several counties and to be used in calculating the relative representation to the succeeding Legislature. Even Governor Tritle at the succeeding legislative session felt it his duty to call attention to the dissatisfaction felt throughout the territory over the alleged fraudulent returns made by many census marshals. Yavapai in the federal census was given a population of about eight thousand. In the supplemental, remedial census, she queerly showed the effects of a sudden surge of immigration and was credited with a doubled population, the balance of power thus remaining with her, provided Apache and Mohave counties continued loyal. It was told that, the invention of the census marshal waning, there were brought in a number of bulky hotel registers, secured in San Francisco and copied upon the census blanks, as showing residence in miscellaneous voting precincts, but mainly to the greater glory of Prescott. To this day this count is known as "the bed-bug" census.

In 1889, Prescott gave up the fight, but resentfully. Money was subscribed at Phœnix to pay all of the expenses of moving and quarters were provided in the new city hall only barely completed. Most of the legislators from the south went to Prescott around by way of Seligman. Organization was hurriedly accomplished and a single bill was passed transferring the capital to Phœnix.

Soon thereafter an act was passed creating a commission which was to choose a site for a permanent capitol building. This commission decided upon a tract of ten acres west of the City of Phœnix and at a subsequent legislative session their action was approved and funds were provided for beautifying the grounds. Act No. 9 of the Nineteenth Legislature, approved March 8, 1897, provided for the erection of a capitol building and authorized the issuance of $100,000 of 5 per cent territorial bonds to provide the necessary funds. The act was approved by Congress, the bonds were sold and in 1899 construction was commenced under Commissioners E. B. Gage, Walter Talbot and F. H. Parker. The total cost of building and furniture was only $140,000. Congressional help was asked, but not received.

The capitol was dedicated and formally occupied February 24, 1901. The orators of the day were Governor N. O. Murphy, Chief Justice Webster Street and President Eugene S. Ives of the Territorial Council, while responses came from almost every county. In the evening was a great public reception, whereat first was presented the Arizona ode, sung by Mrs. Frank Cox of Phœnix.

The walls of the capitol are of tufa, a loosely-compacted volcanic ash, brought from Kirkland Valley, a hundred miles to the northward. The foundation is of superb granite, from the hills near Phœnix. The building is of strikingly handsome exterior. Within, on the ground and main floors, are located the offices of the major part of the territory's official staff, the governor on the north and the territorial secretary on the south. On the third floor are the legislative chambers, with about a score of committee rooms and with broad balconies for the public.

CHAPTER XXVIII

CLOSING YEARS OF THE TERRITORY

The Various Capitols of Arizona Till Dedication of the State House at Phœnix—Administrations of Governors Murphy, Brodie, Kibbey and Sloan—Arizona's Song and Flower—Raising the Taxes on Mines—Territorial Judges.

A very material change in the political situation in Arizona followed assumption of the presidency by Theodore Roosevelt. The possession of a Spanish War record no longer was deemed in the least reprehensible. A number of Rough Riders thereafter dropped into official positions.

In the fall of 1901, a strong attack was made upon Chief Justice Webster Street, the fight led by several Arizona attorneys of large practice. The attack succeeded and in Street's place was named Edward Kent, son of ex-Governor Kent of Maine, a Harvard graduate and latterly an assistant United States attorney at Denver. His appointment was made possible by an all-around fight among Arizona republicans, that had made the appointment of an Arizonan almost impossible. He was sworn into the office of chief justice March 28, 1902, and held the position until the date of statehood. So from Maine came Arizona's last, as well as first, chief justice.

CHANGING POLITICAL POLICIES

President Roosevelt ran into trouble with the Senate when he sent to that august body in 1902 the nomination of Benjamin F. Daniels to be United States marshal for Arizona, to succeed McCord, who had been given an ad interim appointment in the previous June. Daniels, who had been a peace officer in some of the wildest periods of pioneer days in Kansas and Texas, had served with distinction as a non-commissioned officer of Rough Riders and was a character of keen attraction to the strenuous President. Charges were brought up in the Senate concerning early episodes in Daniels' life. No less than thrice did the President attempt to secure confirmation, Daniels finally relieving the tension by requesting that his name be no longer considered. Soon thereafter, he was appointed superintendent of the territorial prison. After the death of the principal objector, Senator Hoar, the nomination was renewed and Daniels was confirmed and took the office from McCord July 1, 1905. About the same time, another Rough Rider, Capt. J. L. B. Alexander of Phœnix, succeeded to the office of United States attorney for Arizona, following Frederick Nave, the latter, November 7, 1905, receiving appointment to the office of district judge.

In the same year, Henry Bardshar of Prescott, a former private of Rough Riders, succeeded W. M. Morrison as collector of internal revenue for Arizona

and New Mexico, with offices at Santa Fé. Jerry Millay, a Phœnix lawyer, succeeded Daniels as superintendent of the penitentiary.

In 1902, Robert E. Morrison and J. F. Wilson, respectively, were republican and democratic candidates for delegate to Congress. The election went to the latter.

ARIZONA'S ODE AND ARIZONA'S FLOWER

The Twenty-first Legislature was the first to occupy the new territorial capitol of Arizona. It had been tenanted by territorial officials for several months, but not till the meeting of the legislative body was there a formal house-warming. It occurred February 24, 1901, on the thirty-eighth anniversary of the congressional act creating the Territory of Arizona. The twenty-first was remarkable especially for its passage of a new code of laws. The civil code was based upon the Texas statutes and the criminal code on that of California. Poston's pension was raised. Supervisors were given authority to appoint county commissioners of immigration. As the official anthem of the Territory of Arizona was adopted a song written by Mrs. Frank Cox and Mrs. Elise R. Averill, entitled, "Hail to Arizona! The Sun-Kissed Land." The trustees of the various school districts of the territory were required to furnish copies of the song to the schools. A bond issue of $20,000 was authorized, its proceeds to be devoted to an exhibit at the St. Louis Exposition, 1904. A committee of six members of the Legislature was appointed to join in a reception to President McKinley. The usual memorial was passed in favor of statehood. An additional $3,000 was given to the Pioneer Historical Society to replace the sum appropriated and then absorbed by Fred G. Hughes. There was prohibition of the shooting of antelope within Arizona for ten years.

In its closing days, the Legislature adopted a new constitution, proposed for the prospective State of Arizona and prepared by a committee headed by President Ives of the Council. It was read only by title. Its basis was the constitution prepared in Phœnix in 1891. Practically additional salary was given the governor in a grant of $1,500 per annum, to be expended without return of vouchers. This grant later was refused by Governor Brodie.

A committee consisting of Assemblymen Kimball, Geer and Barker was appointed to select an official flower for Arizona from among the flora of the territory. On March 18 a report by this committee was accepted designating the pure white, waxy flower of the Cereus Giganteus or saguara, by the legislators considered the distinctive plant of Arizona. In the State Legislature of 1915 an attempt was made to alter this designation in favor of the Indian paintbrush, but the resolution, though at first favored, finally was dropped on a showing from Professor Thornber of the State University that the flower suggested was in nowise typical of the flora of the state and that the species especially suggested was not even known within the confines of Arizona.

THE BRODIE ADMINISTRATION

Col. O. A. Brodie became Governor of Arizona July 1, 1902. Governor Murphy's term did not expire until December, but in the spring he had expressed a desire to resign, in order that he might attend to his mining business. Governor Brodie's appointees very generally were new in officialdom. They

included: Attorney-general, E. F. Wells, Prescott; auditor, W. F. Nichols, Willcox; treasurer, I. M. Christy, Phœnix; superintendent of public instruction, N. G. Layton, Flagstaff; superintendent of the territorial prison, W. M. Griffith, Tucson; adjutant general, Maj. B. W. Leavell, U. S. A., Prescott; captain of rangers, T. H. Rynning, Douglas.

The Twenty-second Legislature met January 19, 1903, with only a small minority of republicans in either House. In the Council, of which Eugene S. Ives of Yuma County was president, the republicans were led by former Governor J. H. Kibbey. T. T. Powers of Maricopa County was speaker of the House.

The most important work of the session, started early and finished late, centered around the Cowan bill, designated to take from the territorial secretary the incorporation filing fees, said to have been as high as $40,000 a year. The bill transferred the incorporation business to the territorial auditor's office, turning the fees into the territorial treasury. Though the measure was one of justice and of profit to the territory and was warmly supported by the governor and a majority of the legislators, it had violent opposition. Councilman Ashurst submitted a substitute bill providing for the laying of a franchise tax on all corporations and leaving the secretary's fees where they were.

Woman suffrage passed both houses, but was slaughtered in the eleventh hour by Governor Brodie. His veto was not upon the basis of the merits of the measure, but upon the ground that the subject was one outside the power of the Legislature and beyond the limitations of the organic act, which limited the franchise to male citizens. The governor pocketed an act which sought to repeal one of two years before that provided that tax assessments must be paid before appeals were taken to the courts. This repeal especially was fought in the interest of the United Verde, which had been raised to an assessment valuation of $1,200,000 by Yavapai County supervisors.

In this Legislature something of a beginning was made on "labor" legislation, of which so much latterly has been known in Arizona. Directed particularly against the companies employing Mexican and contract labor, an act was passed prohibiting more than eight hours of labor on underground work in mines. Other acts of importance were: Directing that the American flag be raised over all schoolhouses; establishing a territorial board of health; limiting medical practice and shutting out Christian Science practitioners; reorganizing the rangers; giving tax exemption for ten years to new railroads; forbidding the working of trainmen for more than sixteen hours; prohibiting the establishment of saloons within six miles of any public works; exempting storage dams and beet sugar factories from taxation for specific periods of time; calling special elections on municipal franchises; prohibiting the use of tokens in the payment of wages.

The transfer of the incorporation fees was interesting in a number of ways. The fees had been secured from a previous Legislature by Secretary C. H. Akers. He had hardly settled into the enjoyment of the income when he was succeeded by his bitterest political enemy, Isaac T. Stoddard. Stoddard, a member of the "stalwart" wing of the republican party, was persona non grata to the Brodie administration, under Roosevelt. Stoddard's position further was weakened by his attempts to hold the large fees of his office and to defeat the Cowan bill. So,

ROUGH RIDER ESCORT TO PRESIDENT ROOSEVELT ON HIS INAUGURATION

on April 1, 1904, he was succeeded by W. F. Nichols, who had been territorial auditor. Treasurer I. M. Christy was transferred to be auditor and E. E. Kirkland, an Arizona pioneer, was made treasurer.

In June, 1903, Secretary Stoddard, acting as governor in the absence of Colonel Brodie, took quick action in putting down riots that occurred at Morenci in connection with a great strike that had followed the enforcement of the Legislature's eight-hour law. The national guard, as elsewhere told, was ordered into the camp and within a day had restored order. It was later reinforced by a strong body of regular troops from Forts Huachuca and Grant.. The leaders of the rioters were punished at the October term of the District Court in Graham County, being sentenced to imprisonment in the county jail and in the penitentiary. The leader, Lostenneau, died in the penitentiary.

On December 1, 1903, was opened the Arizona Industrial School at Benson, under the superintendency of Frank O'Brien, who had been probate judge of Cochise County. He has had many successors. For a number of years there was relative peace in the institution, when it was managed by James Mahoney of Winslow. About the time of statehood it was found that the building had been so poorly constructed that it was dangerous for occupancy, and that the site offered no facilities for farming or other industries for the inmates. The school therefore was moved to Fort Grant, north of Willcox. Several superintendents have been dismissed on charges of incompetency or brutality, and not until a very late date has the institution ceased to occupy large attention in the public press.

The first democratic territorial convention of 1904 declared for William Randolph Hearst for the presidency, the only dissonant note in the convention being the departure of a contesting Gila County delegation, which refused to divide the vote of that county.

In the earlier republican convention of 1904, the delegates chosen for the national convention at Chicago were instructed to support the name of Theodore Roosevelt for the presidential nomination. The delegates chosen were headed by Governor Brodie and Judge J. H. Kibbey. There had been an attempt to send an uninstructed delegation, but this proved unsuccessful early in the campaign.

The nominations of the leading parties in 1904 for congressman were Marcus A. Smith, democrat, and Benjamin A. Fowler of Phœnix, republican. Mr. Fowler, while standing against joint statehood, in accordance with the expressions of both conventions, relied also upon his record as one of the leaders in the national irrigation movement, which he especially had served as president of the Salt River Valley Water Users' Association. But Smith, as usual, was elected, by a vote of 10,394 to 9,522.

In February, 1905, Eugene A. Tucker was appointed judge of the First District, to succeed Judge Geo. R. Davis. This appointment was an unhappy one, which Tucker soon was pleased to resign. A photograph is said to have been sent to the department of justice showing the judge during court session, with his feet on the bench, and smoking a cigar. There were charges also that he had been offered a private residence by citizens of Globe in order to influence a change of the United States Court session from Solomonville to that point. Judge Tucker was relieved from office in October, 1905. In his place

The Twenty-fourth Legislature of Arizona met January 21, 1907. In the Council were eight republicans and four democrats. The majority elected to the presidency A. J. Doran of Yavapai. The House of Representatives had sixteen democrats and eight republicans. The speakership went to Neill Bailey of Cochise County. This Legislature was notable for a number of economies, more or less enforced. Theretofore transportation almost anywhere could be had by any legislator or his friends. A national law had cut off this incidental endowment, however, and hence much more of the session was devoted to real legislative business than ever before had been known, and junketing trips were fewer. Governor Kibbey also had given public notification that the common graft of rewarding political service by legislative appointment to clerkships must be restricted.

The Legislature unanimously passed a resolution of sympathy with the City of San Francisco in connection with the schooling of oriental children, an international question on which California and the President then were clashing. The republican majority of the Council, after thinking the matter over, reconsidered its action and killed the resolution. There was a strong change in sentiment from the previous Legislature, for a bill absolutely prohibiting gambling passed by a vote of every member of the Council and all but two members of the House and immediately was signed by the governor, to take effect April 1. Another moral reform bill prohibited the presence of women or minors in any drinking saloon.

LIFTING THE MINING TAX ASSESSMENT

The greatest struggle of the session was over mine taxation, which Governor Kibbey declared was far too low. He urged the taxation of mines on much the same basis as other property and declared against a proposal to re-enact the old bullion tax bill, which would refer only to the net mining product, a basis that would fluctuate according to the price of copper and according to the desires of any copper trust that happened to be manipulating the market. The mining interests were strong enough to block any such plans as outlined by the governor and, largely as a bluff, in the latter days of the session was passed a bullion tax bill which, for taxation purposes, fixed the value of a mine at 25 per cent of the value of its gross product of bullion. This was passed down to the governor in the fullest confidence that he would veto it. There was consternation in the mining ranks a day or two later, for the governor, instead of filing the measure away as was in his power, made it a law and advised the Legislature that while the bill was not one that merited his approval, it still provided a plan whereby a larger income could be secured the territory from the mines than had been known before. The governor stated that two years before the mines with all their improvements had been valued at only $2,500,000. This had been raised to $14,000,000 and under the new law it could be figured that the amount would approximate $20,000,000.

Indeterminate sentences were authorized for the punishment of persons convicted of crimes. There was the creation of a sheep sanitary commission. Authorization was made for the removal of the territorial prison from Yuma to Florence, an act that had only slight opposition from Yuma, which had rather tired of the prison and its consequent notoriety.

In the memorials the legislators sought an increase of compensation for themselves, with the statement that $4 a day hardly paid their hotel bills. Appropriation was asked to control the flood waters of the Gila River in Graham County, and of $1,000,000 for the building of a storage reservoir at San Carlos. There was a protest against the granting of permission to any railroad to build through this San Carlos damsite and over an order of the secretary of the interior directing the removal of drift fences on the international boundary. Congress again was petitioned to help finish the capitol.

For years the Santa Fé was fought by Ralph Cameron, and in the main successfully. The corporation, owning a railroad to the cañon and a hotel on its brink, found that the depths of the gorge were controlled by a single man, to whom payment had to be made of a dollar for each individual who rode down the Bright Angel trail. For years the battle was waged, Cameron represented throughout by E. M. Doe of Flagstaff. When Cameron's legal hold on the trail ran out, he had the county supervisors lease the trail to him. When no lease could be made, a bill was introduced in the Twenty-fourth Legislature to extend the county's leasing privileges. The bill passed, though fought by the railroad interests. Then Governor Kibbey received a telegram from the secretary of the interior, suggesting that the bill had provisions at variance with the policy of the forestry service and suggesting that he veto it. Kibbey, rather resentful over the intrusion of the appointing power in Washington, promptly returned the bill to the Legislature without approval and with a copy of the telegram annexed. Then the Legislature demonstrated the independence of the territory by repassing the bill unanimously, and Cameron still held the pass.

W. F. Nichols was succeeded as territorial secretary April 7, 1908, by John H. Page, who had been territorial auditor and who in turn was succeeded as auditor by Sims Ely, who had been private secretary to the governor.

In 1908, though the nomination of Taft seemed assured, the fight for seats in the republican national convention never was fiercer in Arizona. Governor Kibbey led one faction which advocated instructions to the delegation. The other faction of the party fought this suggestion bitterly and succeeded at the territorial convention held in Tucson, April 18, in splitting the party wide open and in forcing a bolt by the Kibbey supporters. Judge R. E. Sloan was named a delegate by both conventions, his companion from the Kibbey wing being Hoval E. Smith of Bisbee and from the other convention L. W. Powell of Bisbee.

It is probable that a desire for statehood and consideration for the strength of the republican majority in Congress had much to do with the fall election in 1908, when, the usual democratic majority overturned, Ralph H. Cameron was elected delegate to Congress by a plurality of 708 votes over Marcus A. Smith, out of 27,676 cast. Cameron, however, had made a wonderful campaign, personally visiting almost every settlement within the territory.

Governor Kibbey was nominated again in December, 1908. He had made many strong enemies, particularly for his successful work in raising taxation on the mines of the territory. They were assisted by a republican faction that had headquarters in Phœnix, that had fought Kibbey throughout his term. As a result confirmation was delayed from time to time till Congress finally

adjourned without action on the nomination and President Roosevelt had left the White House.

THE LAST TERRITORIAL LEGISLATURE

The Twenty-fifth Legislative Assembly of Arizona, the last under the territorial form of government, convened in Phœnix January 18, 1909, the democrats in control by a large majority despite the choice in the same election of a republican for Congress. The republicans only had two members of the Council and seven members of the House. George W. P. Hunt of Globe again was honored by selection to the office of President of the Council and Sam F. Webb of Maricopa County was made the Speaker of the House. Possibly no Legislature was more bitterly partisan than was this. A fight was started at once upon the territorial administration, which was handicapped by legislation in every way possible. The most important of the acts of this sort abolished the Arizona Rangers and also the office of territorial examiner. It was charged that the Rangers too largely had reflected the ideas of the governor and that Territorial Examiner W. C. Foster, later auditor, an accountant of unusual ability, had been too active in the past political campaign. Governor Kibbey vetoed both bills, but the acts passed notwithstanding. Another act passed over the veto of the governor was one that provided that no person should register as a voter who could not read any section of the Constitution or who could not write his own name. This was directed particularly against the Mexican population, which it was claimed generally had voted the republican ticket.

The governor, during the period of the session had almost as much trouble with his own party as with the democrats. Resenting the antagonistic political activity of J. C. Adams of Phœnix, "Father of the Arizona Fair" and president of the Fair Association since its inauguration four years before, the governor called for his resignation and for that of B. A. Packard of Douglas. Adams appealed to the democratic Legislature, which joyously took up the fight. The investigation was taken out of the hands of the governor and brought into what President Hunt called "the most ridiculous proceeding that ever disgraced an Arizona Legislature." At the end of the hearing only twenty-three of the thirty-six members voted and the commissioners were declared cleared by a vote of 12 to 11. The governor proceeded with his own investigation, ignoring that of the Legislature, and as a result Adams, a few days later, resigned. He secured reappointment under Governor Sloan.

Outside of the line of pure politics the Legislature appointed February 12 as a holiday in honor of the hundredth anniversary of the birth of Abraham Lincoln; finally established a Pioneers' Home at Prescott, for which there had been some years of agitation; created the new County of Greenlee out of the eastern part of Graham County, the name chosen in honor of Mace Greenlee, one of the first prospectors north of the Gila River; removed party emblems from election ballots; established the office of territorial historian, and created a railroad commission.

The Legislature of 1909 gave Arizona her first direct primary law, to be used in the election the following year. At first there was general complaint

RICHARD E. SLOAN
Seventeenth and Last Territorial Governor

JOSEPH H. KIBBEY
Sixteenth Governor

ALEX. O. BRODIE
Fifteenth Governor

GOVERNORS OF ARIZONA

that it simply compelled the candidate to make two campaigns at double cost of one and that altogether too many candidates went into the running.

The spring of that year was one of the wettest ever known. Railroad connection with Maricopa was interrupted about a score of times by breaks in the Gila and Salt River bridges. For a while the capitol itself was surrounded by a flood that came from Cave Creek. All the streams of the territory were at flood and immense damage was done transportation lines and irrigation works.

Governor Kibbey's troubles did not end with the Legislature. President Taft was besieged by adverse influences, corporate or partisan, concerning the Arizona governorship. Kibbey was not very keen on reappointment, for he wanted to resume the practice of law as soon as possible, but at the same time would have liked the honor of having been the last territorial governor. It is probable that he used little or no influence in his own behalf.

As a result he was retired, though with all honors and with the appointment as his successor of Judge R. E. Sloan, probably the man he himself would have designated had the choice of a successor been left to him. The appointment of Judge Sloan was done amicably enough, but there was positive brutality in the manner in which the secretary of the interior, April 4, telegraphed Territorial Secretary John H. Page requesting his resignation "in the interest of party harmony." Page, a Roosevelt appointee, had been only a year in office and in nowise was he offensively connected with any territorial faction. In his place was appointed Geo. U. Young.

It is probable that no governor ever left office in Arizona with greater popularity among his subordinates than did Kibbey. This popularity had substantial expression in the presentation of a chest of silver from the penitentiary employes, a cut-glass water service from the asylum force, a loving cup from the late Rangers, a punch bowl from the normal school and a watch from his official associates at the capitol. Governor Kibbey is said to have refused the proffer by President Taft of a position as justice on the bench of the Arizona Supreme Court.

THE LAST TERRITORIAL GOVERNOR

Richard E. Sloan was inaugurated as governor of Arizona in the executive chambers of the capitol May 1, 1909, introduced by retiring Governor Kibbey, who offered his best wishes for a successful administration. Governor Sloan replied in compliment to his predecessor and particularly spoke of the statehood that was imminent and the preparation for it that was necessary. John B. Wright of Tucson, to be attorney-general, was the new governor's first appointee.

To the place vacated by Governor Sloan on the bench of the Supreme Court appointment was made of E. M. Doe of Flagstaff, who was endorsed especially by Congressman Cameron. Ernest W. Lewis of Phoenix was made associate justice to fill the place at Globe made vacant by the resignation of Frederick Nave, April 1.

Territorial changes were made the easier by reason of the break about that time between Roosevelt and Taft and the pruning out of the Roosevelt appointees continued down the line till only a few postmasters remained of all of the old

federal force within Arizona. In due course of time United States Attorney J. L. B. Alexander and United States Marshal B. F. Daniels, both former Rough Riders, were dropped and in their places appointment was made, respectively, of Jos. E. Morrison of Bisbee and Chas. A. Overlock of Douglas. Daniels was made an Indian agent in Wisconsin, but soon found the new job distasteful, so quit.

The appointments made by Governor Kibbey in March, 1909, included Mulford Winsor as territorial historian. Winsor was a democrat, one of the officers of the Legislature. The historian idea was his own. When he had secured the support of a majority of the Legislature, he went to the governor with the information that the bill would pass if the appointment went to himself. Governor Kibbey favored the creation of the office and hence approved the bill, even though it forced an appointment upon him. The agreement covering the appointment did not affect Governor Sloan, who, soon after he assumed executive duties, dropped Winsor and to the place appointed Miss Sharlot M. Hall. The lady for years had specialized on the subject of Arizona history. She had written much concerning the pioneer period of the territory and had published a volume of poetry wherein especially was celebrated the beauty and the romance she found within the Southwest. Miss Hall continued in office until the date of statehood. Thereafter the position has been filled by Thos. E. Farish, a pioneer of both California and Arizona, a democratic leader and a writer of long experience.

TERRITORIAL JURISTS

Since and including 1886, the following appointments were made to the Territorial Supreme Court, annexed being the date either of appointment or of oath:

J. C. Shields (C. J.), January 4, 1886; W. W. Porter, January 4, 1886; W. H. Barnes, January 5, 1886; James H. Wright (C. J.), April 28, 1887; Jos. H. Kibbey, oath August 19, 1889; Richard E. Sloan, January 13, 1890; Henry C. Gooding (C. J.), oath May 7, 1890; Edward W. Wells, oath March 5, 1891; A. C. Baker (C. J.), oath May 24, 1893; John J. Hawkins, October 2, 1893; Owen T. Rouse, October 2, 1893; J. D. Bethune, January 14, 1895; H. C. Truesdale (C. J.), September 4, 1897; Geo. R. Davis, September 4, 1897; Fletcher M. Doan, September 4, 1897; Richard E. Sloan, September 4, 1897; Webster Street (C. J.), oath November 15, 1897; Edward Kent (C. J.), May 28, 1902; John H. Campbell, March 22, 1905; Eugene A. Tucker, oath April 1, 1905; Frederick A. Nave, oath November 17, 1905; Ernest W. Lewis, November 8, 1909; Edward M. Doe, November 8, 1909.

CHAPTER XXIX

HOW STATEHOOD WAS GAINED

Enfranchisement Asked in Earliest Territorial Days—A Constitutional Convention that Remonetized Silver—Congressional Inspection—The Joint Statehood Peril—The Constitution and Its Preparation—Taft's Veto of the Recall—Statehood Gained—Territorial Legislators.

There was talk of statehood for Arizona away back in 1872, when Richard C. McCormick, late governor, was delegate, an office taken as a stepping stone to a senatorship. Succeeding delegates kept up the agitation, which started when Arizona was credited with a population of only about 12,000, with very few payers of taxes.

In 1883, Delegate Grant Oury introduced a bill for the admission to statehood of the Territory of Arizona. Several years later Delegate C. C. Bean had a bill to the same effect that also died in the committee of territories and thereafter Delegate Marcus A. Smith kept hammering away on the same line till statehood became rather an obsession on the part of Arizona orators and politicians. Arizona's demand for enfranchisement resounded from the political rostrums at every recurring campaign and was found in every party platform. Delegations of loyal citizens paid their own way to Washington to argue with the committees of Congress and, in rare instances, even with Congress itself, for the statehood bills once in a while were reported out of the committee on territories. One of the Smith bills, presenting a full constitution, passed the House of Representatives and went to the Senate in June, 1892, only to die in committee. The following year, in December, with the same favoring political conditions in the popular branch, Smith's annual statehood bill reached the Senate in December, to be pocketed once more. That same session Carey of Utah varied the monotony a bit by a Senate bill for the admission of Arizona, New Mexico, Oklahoma and Utah and something of this same sort bobbed up in the Senate the following year. Delegate Oakes Murphy in 1895, without success, offered his republican associates a statehood measure, and then, switching back to the democracy, Smith, again in office, in the 1897 Congress failed in an effort to pull a bill out of committee. His democratic successor, J. F. Wilson, had no better success on the same line in 1899.

The Legislature of 1889 called a constitutional convention of forty-two members, who were to be elected in November, to meet in Phœnix on the first Tuesday of January, 1890. The constitution framed was to be submitted to the electors in such manner as the convention might decide. But this movement seems to have gone little further.

AN EARLY CONSTITUTIONAL CONVENTION

Arizona's first constitutional convention was a volunteer sort of affair, in September, 1891, the delegates being elected from all parts of the territory without regard to political affiliations. A really remarkable body of men assembled in Phœnix, practically every member distinguished for ability or character (some for both), nearly all with prior legislative experience. They were: W. A. Rowe, H. N. Alexander, Geo. W. Cheyney, Marshall H. Williams, Marcus A. Smith, Wm. H. Barnes, Frank Hereford, J. W. Anderson, Alonzo Bailey, Ben M. Crawford, Thomas Davis, Foster S. Dennis, Thomas Gates, W. A. Hartt, John Hunt, William Herring, T. C. Jordan, Art McDonald, Thos. G. Norris, A. M. Patterson, J. F. Wilson. Rowe was elected president and Allen C. Bernard of Tucson was secretary.

The work was finished October 2, 1891, and was submitted to the people together with an address and argument in its behalf specially prepared by a committee of seven members. On the whole, the constitution prepared "read well," though later consideration developed many items that might have developed serious legal consequences. For instance, while especially claiming natural streams and lakes as the property of the state and specifically denying the doctrine of riparian rights, several paragraphs expressly countenanced an appropriation of water for "sale" or "rental," by corporations or ditch or reservoir owners, all in contrast with the present just practice of yoking the water with the land, inseparably.

Just about that time there was much tribulation in the West over the demonetization of silver and the single gold standard. Loyally, in keeping with the spirit of the many stump speeches of the members, there was inserted a provision that, "The gold and silver coin of the United States shall be equally a legal tender for all debts and obligations contracted in this state, any contract to the contrary notwithstanding." Owing to the state of the public mind at the time, this attempted support of contract repudiations and defiance of the monetary standard set by the nation passed almost without comment at home, but was not unnoticed when the document went to Congress as a part of a statehood bill. The constitution was accepted in Arizona by a vote of 5,440 to 2,282.

One of the early statehood conventions met in Phœnix November 27, 1893, with delegates present from all save Yavapai, Mohave and Coconino counties, which wanted delay till the succeeding January. Chas. W. Wright of Tucson was chairman of the organization and Chas. F. Hoff of Tucson, secretary. The convention adopted resolutions and memorialized Congress on behalf of statehood, incidentally giving large praise to Arizona and prophesying much concerning her future. A committee was appointed, headed by Governor Murphy, to proceed to Washington and lobby for statehood.

A statehood boom was launched in Phœnix October 26, 1901, at a general territorial gathering, called by Governor Murphy, with 130 representative citizens present. A. J. Doran of Prescott was made chairman. The meeting was attended by Governor Miguel Otero of New Mexico and a notable address was made by Col. J. Francisco Chaves, whose first visit to Arizona had been in 1855 and who, in 1863, participated in the organization of the territorial government. There was selected a delegation to proceed to Washington to lobby

Photo by Robt. Turnbull

CONSTITUTIONAL CONVENTION OF ARIZONA GROUPED AT ENTRANCE OF CAPITOL

for statehood, including W. J. Murphy of Phœnix, Wm. C. Greene of San Pedro, E. B. Gage of Congress, John Lawler of Prescott, John Brockman of Pearce and Dr. L. W. Mix of Nogales.

CONGRESSIONAL VISITATIONS

The House of Representatives in 1902 passed and sent to the Senate a bill for the admission of Oklahoma, New Mexico and Arizona, but the measure still was under discussion when the Senate adjourned in March, 1903. The Senate opposition was led by Senator Beveridge. A visit was made to New Mexico and Arizona in 1902 by Senator Beveridge and colleagues of the Senatorial Sub-committee on Statehood. The party spent three days looking over the territory and at a number of points took some testimony. The chairman came prepared to see Arizona at its worst. He almost omitted consideration of the great mining and irrigation enterprises, but took good care not to miss the gambling and all aspects of urban depravity. He wanted to be informed particularly about the Indian and Mexican population and he saw the cactus rather than the alfalfa fields, and the barren hills rather than the mines that in them lay. He assumed that the territory was under the domination of the mining corporations. So the report of the committee on its return to Washington was adverse, unless statehood were taken in combination with New Mexico.

A second committee came in October, 1903, headed by Wm. Randolph Hearst, composed mainly of democratic statesmen, who made the southwestern welkin ring with oratory and who found nothing displeasing at any point visited. In October, 1905, still a third party of investigation, mainly republican, went through the territory, led by Congressman Tawney, particularly considering the plan of joint statehood. It is told that most of the party started out with the idea that joint statehood might be a good thing, but that in the end every member practically was pledged against the proposed plan. It is to be deplored that some of them, including Tawney, did not keep to this determination and that they let politics sway them in the final vote.

When there was evolved the compromise measure under which Arizona and New Mexico were to be made into a state jointly, the news was telegraphed to the Arizona Legislature by Representative Smith, February 4, 1903. Immediately was returned an answer declaring Arizona unalterably opposed to the joint-state plan. Notwithstanding this action a concurrent resolution passed the council February 27, reciting that Arizona under certain conditions would be willing to enter statehood jointly with New Mexico. This gave a glorious opportunity to the Assembly, which repudiated an assumption that it had joined in the resolution and which advised Congressman Smith that Arizona always would fight against any policy wherein she might lose her name, identity and history.

JOINT STATEHOOD SUGGESTED

There was a grand melee over statehood in the Congress of 1904, with separate statehood bills for each of the territories still remaining outside the pale. The House Committee on Territories, finally, in despair, dropped upon the House a bill to admit Oklahoma in combination with Indian Territory, and to join Arizona with New Mexico. This measure Chairman Hamilton managed to drive

through within a few hours, almost without debate, despite the opposition of Arizona's congressman and that of a number of citizens then in Washington, working for statehood. Delegate Rodey of New Mexico accepted the compromise and later became an enthusiastic supporter of joint statehood. In the Senate, Senator Foraker, who then materialized as a strong friend of Arizona, with the help of Senator Bard, succeeded, though by the narrowest margin, in having the bill amended to permit each territory to have a voice on the joint proposition. This amendment the House refused and the bill went into the discard for the session.

January 20, 1906, Chairman Hamilton reintroduced his bill of the previous session and succeeded in getting it through the House on the 25th, despite the agonized cries of the Arizonans, by a vote of 195 to 150. Much was made of the fact that President Roosevelt, probably through the influence of Senator Beveridge, had been quoted as advocating the joint measure. Then came a giant struggle in the Senate, where Beveridge still was standing pat on jointure. He had flooded the Southwest with pamphlets containing his speech of the previous session on "Arizona the Great," for "Arizona" was to be the name of the conjoined communities, possibly the most unpalatable section to the New Mexicans, who were getting to like the proposition otherwise. Foraker, welcoming an opportunity to defy the national administration, led again in an attempt to secure a vote from the communities interested and again succeeded. The bill went back to the House and was accepted as amended. Then the question was put squarely up to the voters of the two territories, though with a provision that the election in Arizona be held under the law of two years before, in order to permit the vote of the Mexicans, who had been disfranchised, to a large extent, by passage of an educational test bill.

President Roosevelt, brought to view the matter from the Beveridge standpoint, in a message to Congress, thus stated his ideas:

> I recommend that Indian Territory and Oklahoma be admitted as one state and that New Mexico and Arizona be admitted as one state. There is obligation upon us to treat territorial subdivisions, which are matters of convenience only, as binding us on the question of admission to statehood. Nothing has taken up more time in Congress during the past few years than the question as to the statehood to be granted to the four territories above mentioned, and after careful consideration of all that has been developed in the discussions of the question I recommend that they be immediately admitted as two states. There is no justification for further delay; and the advisability of making four territories into two states has been clearly established. In some of the territories the legislative assemblies issue licenses for gambling. The Congress should by law forbid this practice, the harmful results of which are obvious at a glance.

Despite the attitude of the President, Governor Kibbey and the federal officials of Arizona still stood firm in their opposition to jointure. Charges were filed against the governor in this connection, but were dismissed at a glance by the President, who sustained the independence of the Arizonans. The proposed joint state would have had a northern line 603 miles long and an area of 262,300 square miles, second only to Texas. The census population of the two states in 1900 was: Arizona, 122,931; New Mexico, 195,310. Arizona had gained 106 per cent in ten years and New Mexico only 27 per cent.

JOINTURE REFUSED BY ARIZONA

The resultant compaign was a warm one indeed, considering how few in reality were the joint-statehood supporters in Arizona. There had been a territorial convention, at which had been formed an Anti-Joint Statehood League, there had been resolutions of opposition from the Legislature, county boards of supervisors, city councils, boards of trade, bar associations, women's clubs, the press association, the miners' association, religious conventions and from a score of public gatherings. Yet the supporters wired Washington their fears of election corruption. The election was the regular one in November, 1906. The votes cast totaled 24,097, of which 3,141 were in the affirmative and 16,265 in the negative. No less than 4,691 voters failed to vote on the statehood question. The joint-statehood candidate for Congress, C. F. Ainsworth, received only 508 votes, compared with 11,101 for Smith (dem.) and 8,909 for Cooper (rep.). In New Mexico the vote stood: for joint statehood, 26,195; against, 14,735. Thus there was a gross majority in the negative of all votes cast in both territories.

The near escape from joint statehood had the effect of rather stilling the clamor for enfranchisement for a year or so thereafter. In the succeeding national conventions of both great parties there were declarations advocating statehood for the territories.

President Taft visited Arizona in October, 1909, and then made public his sympathy with the aspirations of the Arizonans. But he warned against any such constitution as that of Oklahoma, which he described as "a zoological garden of cranks." Chairman Hamilton of the House Committee on Territories introduced a new bill that gave separate statehood to Arizona and New Mexico. The bill, as finally agreed upon, passed the Senate June 16, 1910, and the House two days later.

There were celebrations in every town of the two territories, in which old scores were buried. Even with pleasure was received a telegram from Senator Beveridge, who sent congratulations and best wishes. Congressman Cameron and Governor Sloan particularly were honored in the public demonstrations.

MOULDING A CONSTITUTION

That fall the only regular election in Arizona was in the new County of Greenlee, for all officials elsewhere held over till the date of statehood. On June 27 an apportionment had been made and an election was called, under the old election law, for the naming of fifty-two delegates to a constitutional convention. This election, held September 12, showed very clearly the leaning of the voters of Arizona toward most advanced forms of popular government. It resulted not only in a general democratic sweep, but in a strong endorsement of the initiative, referendum and recall, against which the voters of the state had been warned by President Taft. The republicans nominated their strongest men, but were left in a hopeless minority, with only eleven votes in the convention.

The delegates were: Cochise County, E. E. Ellinwood, Thomas Feeney, John Bolan, A. F. Parsons, R. B. Sims, P. F. Connelly, E. A. Tovrea, D. L. Cunningham, C. M. Roberts, S. B. Bradner; Coconino, Edward M. Doe, C. O. Hutchinson; Gila, Alfred Kinney, G. W. P. Hunt, John Langdon; Graham, Lamar Cobb, W. T. Webb, Mit Simms, A. M. Tuthill, A. R. Lynch; Maricopa, J. P. Orme, A. C. Baker, R. B. Mouer, Orrin Standage, F. A. Jones, Sidney P. Osborn,

Lysander Cassidy, J. E. Crutchfield, Alfred Franklin; Mohave, Henry Lovin; Navajo, William Morgan, James Scott; Pima, S. L. Kingan, W. F. Cooper, C. C. Jacome, George Pusch, J. C. White; Pinal, Thomas Wills, E. W. Coker; Santa Cruz, Bracey Curtis; Yuma, Mulford Winsor, Fred Ingraham, E. L. Short; Yavapai, H. R. Wood, Morris Goldwater, M. G. Cunniff, A. M. Jones, A. A. Moore, E. W. Wells.

The convention began October 10, the expense of its session, and of the preceding election, met by an appropriation of $100,000 made by Congress. Geo. W. P. Hunt at Globe, was made president of the convention. The session lasted till December 10. It was notable particularly for the efforts made toward the insertion of radical labor legislation. While much considered beneficial to labor and incidentally restrictive of the encroachments of capital found insertion in the Constitution, most of the radical measures proposed eventually were rejected. Failure met strong efforts made to introduce woman suffrage and prohibition. Within the document, however, were placed, despite the efforts of the minority, many "progressive" features borrowed from Oklahoma, including the initiative, referendum and recall, the last embracing judges, a feature that had bitterest opposition, in view of the known position on the subject by President Taft. Even the chaplain grew apprehensive and one morning prayed, "and, Lord, we hope that President Taft will not turn down the Constitution for a little thing like the initiative and referendum; Lord, don't let him be so narrow and partisan as to refuse us self-government." But the recall went into the Constitution by a vote of 38 to 9. The completed document comprised about 25,000 words. On the last day of the session it was read in its entirety and adopted by a vote of 40 to 12.

Delegate Langdon of Gila County was the only republican who voted for the Constitution or who signed the document. Delegate E. E. Ellinwood of Cochise County and Delegate A. M. Tuthill of Graham County were the only democrats who refused to sign. The republicans had evolved a scheme for signing under their names "We disapprove," but this move was blocked by the democratic majority in ordering that nothing should be placed upon the document save the bare names of the members signing and the names of the counties represented. Delegate E. M. Doe of Coconino County, one of the Federal District judges, protested, demanding his right to sign and at the same time to be set right with posterity, but Delegate Parsons protested against disfiguring what he termed "the greatest and grandest document since the Declaration of Independence." Delegates Orme and Franklin of Maricopa County, who had been opposed to all radical measures, signed with the majority.

DIGEST OF ARIZONA'S CONSTITUTION

The Constitution repeatedly has been characterized as legislative to a remarkable degree. The preamble is brief, "We, the people of the State of Arizona, grateful to Almighty God for our liberty, do ordain this Constitution." The ordinary features of similar documents generally are followed, with respect to the designation of the three co-ordinate branches of government, the boundaries of the state and the outlining of a general official scheme. The Declaration of Rights begins with an unusual expression: "A recurrence to fundamental principles is essential to the security of individual rights and the

perpetuity of free government." The National Constitution is acknowledged, as are the fundamentals of protecting life, liberty and property, free speech and free publication. No law granting irrevocably any privilege, franchise or immunity shall be enacted. No religious qualifications shall be required and no public moneys shall go to any denominational institution. It is significant that in the habeas corpus paragraph there was failure to enact the whole of the national provision permitting suspension at times of riot or rebellion. The military shall be in strict subordination to the civil power. The right of an individual to bear arms shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain or employ an armed body of men.

It is provided that the people reserve the power to propose laws and amendments to the Constitution and to enact or reject such laws and amendments at the polls independently of the Legislature as well as the right to approve or reject any act of the Legislature. Under the initiative, 10 per cent of the electors may propose a measure and 15 per cent may propose an amendment to the Constitution. Only 5 per cent of the electors may call for the referendum of any measure enacted by the Legislature. The governor may not veto initiative or referendum measures approved by a majority of the electors.

Every public officer (including judges) was made subject to recall upon the filing of a petition equaling 25 per cent of the number of votes cast at the last preceding general election. Such petition shall not be circulated against any officer until he has been in office for six months, save that a member of the Legislature may be proceeded against within five days from the beginning of the first session after his election. The direct primary law is continued in force.

In the legislative branch, apportionment is made among the fourteen counties of a Senate of nineteen members and a House of Representatives of twenty-five members. Legislators must be 25 years old and have lived in the county of election at least three years. No person holding any Federal or state office shall be a member of the Legislature. Legislators shall receive $7 a day and 20 cents mileage. No person holding public office may accept free transportation.

The governor was given a salary of $4,000 per annum, secretary of state $3,500, auditor $3,000, treasurer $3,000, attorney general $2,500, superintendent of public instruction $2,500. There was created a Supreme Court of three judges, each receiving $5,000, and County Superior Court judges at from $3,000 to $4,000.

Perfect toleration of religious sentiment shall be secured to every inhabitant. Polygamous marriages are forever prohibited. Prohibition is made forever of the sale or giving of intoxicating liquors to Indians. All title to United States land or those of Indian tribes is disclaimed. Assumption is made of all the debts of the Territory of Arizona and of the several counties. Provision must be made for the maintenance of public schools, which shall be conducted in English. No law shall be passed abridging the right of suffrage on account of race, color or previous condition of servitude. All officers must read, write, speak and understand the English language.

Secrecy in voting shall be preserved. An elector must be a male citizen, aged 21 or more, with at least one year's residence in the state. Bond issues and special assessments shall be submitted to a vote of taxpayers, who shall also be qualified electors. The Legislature was directed to enact a law providing for general publicity of all campaign contributions and expenses.

For the purpose of obtaining an advisory vote of the people, the Legislature shall provide for placing the names of candidates for United States senator on the official ballot at the general election next preceding the election of a United States senator.

Exemption from taxation is given all Federal, state, county and municipal property, together with buildings used exclusively for religious worship, parsonages, schools, convents, academies, Christian associations, colleges, universities, libraries, orphanages, and the property of educational, charitable and religious associations not organized for profit. Widows are given exemption of $1,000 where the assessment does not exceed $2,000. No county, city or school district may become indebted more than 4 per cent of its taxable property.

The provisions of the Enabling Act concerning school lands are accepted, and all lands are to be held in trust, to be disposed of for the benefit of the state under the terms prescribed. No land shall be sold for less than $3 an acre.

A State Board of Education was created. Schools shall be maintained for at least six months each year. Provision was made for a permanent state school fund from the sale of public lands granted by the Nation.

One of the longest sections of the Constitution is that which relates to corporations, for whose government a corporation commission has been provided. Records of all public service corporations and banks and of all corporations which may have stock for sale shall be subject to inquisition by the commission. Bank stockholders shall be held responsible for all debts of their corporation to the extent of the value of their stock therein, in addition to the amount invested in such stock. All managers and officers of banks shall be held responsible for deposits received after knowledge of the fact that their institution is insolvent. Monopolies and trusts shall not be allowed. The corporation commission has power to prescribe classifications and rates and may prescribe forms of contracts and systems of keeping accounts. Each corporation doing business in the state shall pay an annual registration fee. Public service corporations shall have the right to construct and operate lines connecting any points and to cross, intersect or connect with any lines of another similar corporation, and shall exchange cars or messages.

The militia in organization, equipment and discipline shall conform to the regulations of the United States Army.

The common law doctrine of riparian water rights shall not obtain.

Eight hours and no more shall constitute a lawful day's work on behalf of the state or any political subdivision thereof. No child under the age of 14 years shall be employed during school time and no child under 16 shall be employed in mines or in other hazardous occupation. It shall be unlawful to require of employees of a corporation any contract of release from liability on account of personal injury. The common law doctrine of fellow servant is forever abrogated. The Legislature was directed to enact an employer's liability law as well as a workman's compulsory compensation law. Blacklists are pro-

JEROME MEN WHO HAD NEVER VOTED FOR PRESIDENT UP TO STATEHOOD

hibited. Only citizens may be employed on public works. The office of mine inspector was established.

Establishment was made of the office of state examiner, going back to an office abolished for political reasons. All justices of the peace and constables in cities or towns shall be paid salaries. No minor under the age of 18 shall be confined with adult prisoners.

The great seal of Arizona was given more of an agricultural aspect than possessed by the seal of the territory. The seal of the Supreme Court of the territory was continued for the state, but upon the seals of the Superior Courts shall be a vignette of Abraham Lincoln.

When the Constitution was submitted February 9, 1911, it was ratified by an overwhelming majority, 12,187 votes cast for ratification and 3,302 against, giving a total vote of 15,489 compared with 27,676 cast in 1908. Immediately thereafter the opponents of the radical ideas joined with the democracy in a prayer to Congress for approval.

ATTAINMENT OF STATEHOOD AT LAST

Standing firmly by his previous expressions, President Taft in August vetoed the Flood statehood resolution, principally because the Constitution contained the provision for judicial recall. A later resolution was approved by the President, August 21, upon the condition that the electors of Arizona vote out the recall at the general fall elections in Arizona and New Mexico. Again was rejoicing in every community. Governor Sloan issued a proclamation calling for primaries October 24 and for a general election December 12, these dates leaving Arizona second to New Mexico in the time of completion of preliminary details. At the primaries was cast only a light vote. Marcus A. Smith, who had so long represented Arizona in Congress, and Henry F. Ashurst of Prescott secured the democratic nominations for the senatorial places, to be opposed by Congressman Ralph H. Cameron of Flagstaff and H. A. Smith of Bisbee, republicans. Carl Hayden, sheriff of Maricopa County, won the democratic nomination for Congress and was opposed by John S. Williams of Tombstone, republican. Geo. W. P. Hunt of Globe, president of the constitutional convention, won the democratic election for governor over T. F. Weedin of Florence. The republican nominee for governor was Judge Ed. W. Wells of Prescott, one of the earliest pioneers of Northern Arizona. Sidney P. Osborn, a native son, was nominated by the democrats for secretary of state, opposed by J. F. Cleaveland of Phœnix, republican.

The first state election proved a democratic landslide, not a single republican being elected to state office, the pluralities over the republican candidates running from 500 to 3,500.

The voters perforce yielded to President Taft's demand for the elimination from the Constitution of the provision allowing recall of judges, though, as afterwards developed, with a reserved determination to reinstate it.

So, with a golden pen, furnished by Postmaster General Hitchcock, on St. Valentine's day, February 14, 1912, at the hour of 10 A. M., President Taft signed the proclamation admitting Arizona to the Union and telegraphed to Governor Sloan, "congratulating the people of this, our newest commonwealth, upon the realization of their long-cherished wishes." The proclamation hap-

pened to be issued on the fiftieth anniversary of a similar document signed by Jefferson Davis, declaring Arizona a territory of the Confederate Union, and was just ten days short of forty-nine years since the date of an act of Congress establishing the Territory of Arizona. Statehood at last had been attained.

MEMBERSHIP OF TERRITORIAL LEGISLATURES

Following is a carefully revised list of the members of all the Arizona Territorial Legislatures:

First Legislature, Prescott, September 26 to November 10, 1864.

Council: Mark Aldrich, Tucson; Coles Bashford (president), Tucson; Henry A. Bigelow, Weaver; Patrick H. Dunne, Tucson; Robert W. Groom, Groomdale; Geo. W. Leihy, La Paz; Francisco S. Leon, Tucson; Jose M. Redondo, Arizona City; King S. Woolsey, Agua Fria Ranch.

House: Nathan B. Appel, Tubac; Thos. J. Bidwell, Castle Dome; John M. Boggs, Prescott; Luis G. Bouchet, La Paz; John G. Capron, Tucson; Jesus M. Elias, Tucson; James Garvin, Prescott; Jas. S. Giles, Prescott; Gregory P. Harte, Tucson; Norman S. Higgins, Cerro Colorado; Geo. M. Holaday, La Paz; Gilbert W. Hopkins, Maricopa Mine; Henry D. Jackson, Tucson; W. Claude Jones (speaker), Tucson; Jackson McCracken, Lynx Creek; Daniel H. Stickney, Cababi; Edward D. Tuttle, Mohave City; William Walter, Mohave City.

Second Legislature, Prescott, December 6, 1865.

Council: Mohave, Wm. H. Hardy, Hardyville; Pima, Coles Bashford, Tucson; Patrick H. Dunne, Tucson; Francisco S. Leon, Tucson; Yavapai, Henry A. Bigelow (president), Weaver; Robert W. Groom, Groomdale; King S. Woolsey, Agua Fria Ranch; Yuma, Manuel Ravena, La Paz.

House: Mohave, Octavius D. Gass, Callville; C. W. C. Rowell, Hardyville; Pima, Daniel H. Stickney, Cababi; Yavapai, Daniel Ellis, Turkey Creek; Jas. S. Giles (speaker), Prescott; Jackson McCracken, Lynx Creek; Jas. O. Robertson, Big Bug; Yuma, Peter Doll, La Paz; Wm. K. Heninger, La Paz; Alexander McKey, La Paz.

Third Legislature, Prescott, October 3, 1866.

Council: Mohave, Wm. H. Hardy, Hardyville; Pah-Ute, Octavius D. Gass (president), Callville; Pima, Mark Aldrich, Tucson; Henry Jenkins, Tubac; Mortimer R. Platt, Tucson; Yavapai, Daniel S. Lount, Prescott; John W. Simmons, Prescott; Lewis A. Stevens; Yuma, Alexander McKey, La Paz.

House: Mohave, Alonzo E. Davis, Hardyville; Pah-Ute, Royal J. Cutler, Mill Point; Pima, Oscar Buckalew, Calabazas; Solomon W. Chambers, Calabazas; Jas. S. Douglas, Tucson; Thos. D. Hutton, Huababi; Michael McKenna, Tucson; Wm. J. Osborn, Tubac; Granville H. Oury (speaker), Tucson; Henry McC. Ward, Babacomori; Yavapai, Underwood C. Barnett, Walnut Grove; Daniel Ellis, Postle's Ranch; Wm. S. Little, Prescott; John B. Slack, Turkey Creek; Hannibal Sypert, Prescott; Yuma, Marcus D. Dobbins, La Paz; Robert F. Piatt, Planet Mine; Wm. H. Thomas, Arizona City.

Fourth Legislature, Prescott, September 4, 1867.

Council: Mohave, Wm. H. Hardy; Pah-Ute, Octavius D. Gass (president); Pima, Henry Jenkins, Mortimer R. Platt, Daniel H. Stickney; Yavapai, Daniel S. Lount, John W. Simmons, Lewis A. Stevens; Yuma, Alexander McKey.

House: Mohave, Nathaniel S. Lewis; Pah-Ute, Royal J. Cutler; Pima, John B. Allen, Underwood C. Barnett, Solomon W. Chambers, Philip Drachman, Francis M. Hodges, Chas. W. Lewis, Marvin M. Richardson; Yavapai, Edward J. Cook, Allen Cullumber, John T. Dare, Jas. S. Giles, John H. Matthews, John A. Rush; Yuma, B. W. Hanford, John Henion, Oliver Lindsey (speaker).

Fifth Legislature, Tucson, December 10, 1868.

Council: Mohave and Pah-Ute, Octavius D. Gass (Mohave); Pima, Henry Jenkins, Alexander McKey, Estevan Ochoa, Daniel H. Stickney; Yavapai, John T. Alsap (president), John G. Campbell, F. M. Chapman; Yuma, Joseph K. Hooper.

PRESIDENT TAFT SIGNING ARIZONA STATEHOOD PROCLAMATION, FEBRUARY 14, 1912

House: Mohave, U. C. Doolittle; Pah-Ute, Andrew S. Gibbons; Pima, John Anderson, Sol. W. Chambers, Robert M. Crandal, Jesus M. Elias, Francis H. Goodwin, John Owen, Hiram S. Stevens; Yavapai, Thos. W. Brooks, Follett G. Christie, Wm. S. Little, E. Lumbley, John Smith, G. R. Wilson; Yuma, Thos. J. Bidwell (speaker), Oliver Lindsey, Jas. P. Lugenbul.

Sixth Legislature, Tucson, January 11, 1871.

Council: Pima, Francisco S. Leon, Estevan Ochoa, Hiram S. Stevens, Daniel H. Stickney (president); Yavapai, John T. Alsap, Harley H. Carter, Andrew J. Marmaduke; Yuma, John H. Phillips. President Stickney died during the session and was succeeded by Carter.

House: Pima, J. W. Anderson, Juan Elias, W. L. Fowler, F. H. Goodwin, William Morgan, Ramon Romano, Rees Smith; Yavapai, J. H. Fitzgerald, Joseph Melvin, Jas. L. Mercer, Wm. J. O'Neill, John L. Taylor, G. A. Wilson; Yuma, Thos. J. Bidwell, C. H. Brinley, Marcus D. Dobbins (speaker).

Seventh Legislature, Tucson, January 6, 1873.

Council: Pima, Mark Aldrich, Juan Elias, Levi Ruggles, H. S. Stevens; Yavapai, J. P. Hargrave (president), A. O. Noyes; Yavapai and Maricopa, King S. Woolsey, Maricopa; Yuma, Thos. J. Bidwell; Yuma and Mohave, W. J. Henning.

House: Maricopa, Granville H. Oury (speaker); Pima, John B. Allen (also territorial treasurer), Wm. C. Davis, Lionel M. Jacobs, F. M. Larkin, John Montgomery, John Smith, John W. Sweeney, J. S. Vosberg; Yavapai, John H. Behan, William Cole, Fred Henry, Thomas Stonehouse, Henry Wickenburg; Yuma, C. H. Brinley, J. M. Redondo, C. W. C. Rowell; Yuma and Mohave, George Gleason.

Eighth Legislature, Tucson, January 4, 1875.

Council: Maricopa, King S. Woolsey (president); Mohave, Ed. E. Davis; Pima, Peter R. Brady, Sidney R. DeLong, William Zeckendorf; Yavapai, John G. Campbell (later delegate to Congress), J. P. Hargrave, L. S. Stevens; Yuma, J. M. Redondo.

House: Maricopa, John P. Alsap (speaker), Granville H. Oury (later delegate to Congress); Mohave, S. W. Wood; Pima, S. H. Drachman, J. M. Elias, F. M. Griffin, John Montgomery, Alphonso Rickman, Geo. H. Stevens; Yavapai, Levi Bashford, Gideon Brooke, C. P. Head, A. L. Moeller, W. J. O'Neill, Hugo Richards; Yuma, H. Goldberg, R. B. Kelley, Samuel Purdy.

Ninth Legislature, Tucson, January 1, 1877.

Council: Maricopa, King S. Woolsey (president); Pima, F. H. Goodman, Fred G. Hughes; Pinal, Levi Ruggles; Yavapai, Geo. D. Kendall, Andrew L. Moeller, John A. Rush, Lewis A. Stevens; Yuma, J. M. Redondo.

House: Maricopa, M. H. Calderwood (speaker), J. A. Parker; Mohave, Jas. P. Bull; Pima, D. A. Bennett, Estevan Ochoa, William Ohnesorgen, Mariano G. Samaniego, Geo. H. Stevens; Pinal, George Scott; Yavapai, C. B. Foster, G. Hathaway, Wm. S. Head, W. W. Hutchinson, John H. Marion, S. C. Miller, Ed. G. Peck, Hugo Richards; Yuma, J. W. Dorrington.

Tenth Legislature, Prescott, January 6, 1879.

Council: Maricopa, E. H. Gray; Pima, F. G. Hughes (president), J. M. Kirkpatrick; Pinal, P. Thomas; Yavapai, C. C. Bean, W. S. Head, W. A. Rowe, E. W. Wells; Yuma, F. D. Welcome.

House: Maricopa, John T. Alsap, J. D. Rumberg; Mohave, John H. Behan; Pima, A. E. Fay, C. P. Leitch, James Speedy, M. W. Stewart (speaker), Walter L. Vail; Pinal, W. K. Meade; Yavapai, W. M. Buffum, John Davis, Thomas Fitch, Patrick Hamilton, P. McAteer, E. R. Nichols, J. A. Park, James Stinson; Yuma, Samuel Purdy.

Eleventh Legislature, Prescott, January 3, 1881.

Council: Apache, S. Barth; Maricopa, A. C. Baker, R. S. Thomas; Mohave, A. Cornwall; Pima, B. A. Fickas, B. H. Hereford, W. K. Meade, H. G. Rollins, Geo. H. Stevens; Pinal, J. W. Anderson; Yavapai, M. Masterson (president); Yuma, J. W. Dorrington.

House: Apache, J. Barton, G. R. York; Maricopa, P. J. Bolan, J. R. McCormack, N. Sharp; Mohave, D. Southworth; Pima, Thomas Dunbar, E. B. Gifford, John Haynes, M. K. Lurty, John McCafferty, J. K. Rodgers, John Roman, M. G. Samaniego, E. H. Smith, M. S. Snyder, H. M. Woods; Pinal, A. J. Doran, D. Robb; Yavapai, Geo. E. Brown, R. B. Steadman, L. Wollenberg; Yuma, J. F. Knapp (speaker), G. W. Norton.

Twelfth Legislature, Prescott, January 8, 1883.

Council: Apache, H. E. Lacy; Cochise, E. H. Wiley (president); Cochise and Graham, P. J. Bolan; Maricopa, A. D. Lemon; Mohave and Yuma, L. S. Welton; Pima, F. G. Hughes, J. F. Knapp; Pinal and Pima, J. W. Davis; Yavapai, F. K. Ainsworth, M. Goldwater, Murat Masterson, E. W. Wells.

House: Apache, C. A. Franklin; Cochise, J. F. Duncan, W. H. Savage, D. K. Wardwell; Gila, William Graves; Maricopa, J. P. Holcomb, S. F. Webb; Mohave and Yuma, L. J. Lassell (Mohave), J. W. Dorrington (Yuma); Pima, R. C. Brown, J. H. Fawcett, E. B. Gifford, Moye Wicks; Pinal and Pima, J. W. Anderson (Pinal); Yavapai, A. Allen, R. Connell, John Ellis, E. H. Gobin, R. McCallum, C. A. Randall, W. A. Rowe (speaker), Charles Taylor.

Thirteenth Legislature, Prescott, January, 1885.

Council: Apache, E. S. Stover; Cochise, W. A. Harwood; Gila, Alonzo Bailey; Graham, W. G. Bridewell; Maricopa, R. B. Todd; Mohave, John Howell; Pima, R. N. Leatherwood; Pinal, Thomas Weedin; Yavapai, W. G. Stewart; Yuma, J. W. Dorrington; Northern District, F. K. Ainsworth (president); Southern District, C. C. Stephens.

House: Apache, J. D. Houck, Luther Martin; Cochise, W. F. Frame, T. T. Hunter, W. F. Nichols, Hugh Percy, D. K. Wardwell; Gila, W. C. Watkins; Graham, James Sias; Maricopa, J. S. Armstrong, DeForest Porter; Mohave, William Imus; Pima, E. W. Aram, G. W. Brown, S. M. Franklin, E. W. Risley, H. G. Rollins (speaker); Pinal, Levi Ruggles; Yavapai, D. J. Brannen, J. A. Brown, R. Connell, L. P. Nash, W. H. Robbins; Yuma, Sam Purdy.

Fourteenth Legislature, Prescott, January, 1887.

Council: Apache, J. H. Breed; Cochise, L. W. Blinn; Gila, P. C. Robertson; Graham, Geo. H. Stevens; Maricopa, L. H. Goodrich; Mohave, E. L. Burdick; Pima, Chas. R. Drake; Pinal, J. W. Anderson; Yavapai, C. B. Foster; Yuma, Isaac Lyons; Northern District, A. Cornwall (president); Southern District, W. C. Watkins.

House: Apache, James Scott, J. Q. Adamson; Cochise, J. M. Bracewell, M. Gray, F. W. Heyne, B. L. Peel, Scott White; Gila, E. J. Trippell; Graham, D. H. Ming; Maricopa, J. Y. T. Smith, Sam F. Webb (speaker); Mohave, P. F. Collins; Pima, A. A. Bean, R. N. Leatherwood, A. McKay, J. B. Scott, C. R. Wores; Pinal, A. J. Doran; Yavapai, H. T. Andrews, W. H. Ashurst, O. C. Felton, J. J. Fisher, A. G. Oliver; Yuma, Charles Baker.

Fifteenth Legislature, Prescott and Phœnix, January, 1889.

Council: Apache, E. J. Simpson; Cochise, Geo. W. Cheyney; Gila, G. T. Peter; Graham, Burt Dunlap; Maricopa, S. F. Webb; Mohave, W. H. Hardy; Pima, Chas. R. Drake (president); Pinal, R. E. Sloan; Yavapai, J. M. W. Moore; Yuma, J. W. Dorrington; Northern District, L. H. Orme; Southern District, G. W. Hoadley.

House: Apache, Charles Flinn, J. A. Johnson; Cochise, Geo. H. Dailey, Grant Hicks, John O. Robbins, J. O. Stanford, Alex. Wright; Gila, J. C. Jones; Graham, Geo. H. Stevens; Maricopa, T. C. Jordan, J. Y. T. Smith (speaker); Mohave, Thomas Halleck; Pima, J. J. Chatham, Louis Martin, J. S. O'Brien, H. B. Tenney, H. D. Underwood; Yavapai, C. D. Brown, J. L. Fisher, J. V. Rhoades, F. L. Rogers, Geo. P. Thornton; Yuma, Samuel Purdy.

Sixteenth Legislature, Phœnix, January, 1891.

Council: Apache, E. J. Simpson; Cochise, J. V. Vickers; Gila, G. T. Peter; Graham, P. M. Thurmond; Maricopa, C. M. Zulick; Mohave, F. S. Dennis; Pima, F. G. Hughes (president); Pinal, A. J. Doran; Yavapai, J. C. Herndon; Yuma, A. Frank; Northern District, Harris Baldwin; Southern District, P. R. Brady.

House: Apache, Frank Hart, J. T. Lesueur; Cochise, S. M. Burr, C. S. Clark (speaker), Thomas Dunbar, F. W. Heyne, J. H. Tevis; Gila, R. B. Moore; Graham, D. Gough; Maricopa,

L. H. Chalmers, T. E. Farish; Mohave, M. C. Copeland; Pima, Thomas Driscoll, Gus A. Hoff, George Pusch, M. G. Samaniego, C. C. Suter; Pinal, J. B. Allen; Yavapai, J. W. Dougherty, J. J. Fisher, M. A. Freeze, S. C. Mott, J. A. Vail; Yuma, C. H. Brinley.

Seventeenth Legislature, Phœnix, January, 1893.

Council: Apache, J. A. Hubbell; Cochise, Geo. W. Cheyney; Coconino, F. R. Nellis; Gila, E. J. Edwards; Graham, C. M. Shannon; Maricopa, W. T. Smith; Mohave, F. S. Dennis; Pima, W. M. Lovell; Pinal, A. J. Doran; Yavapai, J. J. Hawkins; Yuma, M. J. Nugent; at large, T. G. Norris (president).

House: Apache, R. C. Dryden, Luther Martin; Cochise, M. Gray, James Reilley, A. C. Wright; Coconino, H. D. Ross; Gila, G. W. P. Hunt; Graham, A. D. Brewer, George Skinner; Maricopa, Frank Baxter (speaker), M. E. Hurley, J. A. Marshall, H. C. Rogers; Mohave, David Southwick; Pima, J. W. Bruce, R. N. Leatherwood, Charles Mehan, C. F. Schumaker; Pinal, W. T. Day, T. C. Graham; Yavapai, S. P. Behan, D. A. Bourke, J. D. Cook; Yuma, D. M. Field.

Eighteenth Legislature, Phœnix, January, 1895.

Council: Apache, F. T. Aspinwall; Cochise, B. A. Packard; Coconino, E. J. Babbitt; Gila, E. J. Edwards; Graham, Bert Dunlap; Maricopa, Henry E. Kemp; Mohave, W. M. Lake; Pima, L. B. Scott; Pinal, Thomas Davis; Yavapai, John S. Jones; Yuma, M. J. Nugent; at large, A. J. Doran (president).

House: Apache, Will C. Barnes, Geo. H. Crosby; Cochise, C. L. Cummings, H. C. Herrick, A. C. Wright; Coconino, E. F. Greenlaw; Gila, G. W. P. Hunt; Graham, Joseph Fish, Geo. W. Skinner; Maricopa, A. E. Hinton, J. A. Marshall, Niels Peterson, Perry Wildman; Mohave, O. D. M. Gaddis; Pima, N. W. Bernard, H. K. Chenoweth, James Finley, M. G. Samaniego; Pinal, Thos. E. Baker, M. R. Moore; Yavapai, Thos. H. Brown, G. W. Hull, J. C. Martin; Yuma, J. H. Carpenter (speaker).

Nineteenth Legislature, Phœnix, January 18, 1897.

Council: Apache, Sol Barth; Cochise, B. A. Packard; Coconino, A. A. Dutton; Gila, G. W. P. Hunt; Graham, D. H. Ming; Maricopa, C. R. Hakes; Mohave, W. H. Lake; Navajo, F. T. Aspinwall; Pima, Fred G. Hughes (president); Pinal, P. R. Brady; Yavapai, John W. Norton; Yuma, J. H. Carpenter.

House: Apache, J. B. Patterson; Cochise, J. N. Jones, J. J. Riggs, William Speed; Coconino, H. F. Ashurst; Gila, Leroy Ikenberry; Graham, J. K. Rogers, G. W. Skinner; Maricopa, A. Goldberg, J. C. Goodwin, P. P. Parker, J. W. Woolf; Mohave, L. Cowan; Navajo, J. N. Smith; Pima, A. C. Bernard, D. G. Chalmers (speaker), J. B. Finley, A. J. Preston; Pinal, C. P. Mason, C. D. Reppy; Yavapai, G. W. Hull, W. J. Mulvenon, D. J. Warren; Yuma, H. Hale.

Twentieth Legislature, Phœnix, January 16, 1899.

Council: Apache, D. K. Udall; Cochise, Chas. C. Warner; Coconino, T. S. Bunch; Gila, G. W. P. Hunt; Graham, Geo. A. Olney; Maricopa, Aaron Goldberg; Mohave, J. M. Murphy; Navajo, Geo. A. Wolff; Pima, J. B. Finley; Pinal, Dr. A. C. Wright; Yavapai, Morris Goldwater (president); Yuma, J. H. Carpenter.

House: Apache, N. Gonzales; Cochise, Henry Etz, Mike Gray, H. M. Woods; Coconino, Henry F. Ashurst (speaker); Gila, John C. Evans; Graham, W. W. Pace, E. M. Williams; Maricopa, J. W. Benham, Sam Brown, Chas. Peterson, Winfield Scott; Mohave, William Imus; Navajo, W. A. Parr; Pima, Alfred S. Donau, Otis Hale, George Pusch, F. A. Stevens; Pinal, Jas. E. Arthur, S. A. Bartleson; Yavapai, W. S. Adams, A. A. Moore, J. J. Sanders; Yuma, John Doan.

Twenty-first Legislature, Phœnix, January 21, 1901.

Council: Apache, E. S. Perkins; Cochise, C. C. Warner; Coconino, M. J. Riordan; Gila, Dr. S. B. Claypool; Graham, Chas. M. Shannon; Maricopa, J. M. Ford; Mohave, M. G. Burns; Navajo, Colin Campbell; Pima and Santa Cruz, J. B. Finley; Pinal, Geo. P. Blair; Yavapai, Henry T. Andrews; Yuma, Eugene S. Ives (president).

House: Apache, Richard Gibbons; Cochise, Michael Gray, Stephen Roemer, H. M. Woods; Coconino, James Walsh; Gila, C. L. Houston; Graham, E. T. Ijams, Andrew Kimball; Maricopa, B. A. Fowler, J. P. Ivy, P. P. Parker (speaker), Charles Peterson; Mohave, Kean St. Charles; Navajo, W. J. Morgan; Pima, Sam Y. Barkley, A. C. Bernard, Joseph Corbett; Pinal, Alex Barker, William Beard; Santa Cruz, A. H. Noon; Yavapai, T. E. Campbell, L. Geer, F. R. Ward; Yuma, Jesse Crouch.

Twenty-second Legislature, Phœnix, January 19, 1903.

Council: Apache, Heber J. Jarvis; Cochise, B. A. Packard; Coconino, H. F. Ashurst; Gila, A. H. Morehead; Graham, H. B. Rice; Maricopa, Jos. H. Kibbey; Mohave, Dr. B. Whitesides; Navajo, J. H. Woods; Pima and Santa Cruz, Joseph Corbett; Pinal, E. W. Childs; Yavapai, J. W. Burson; Yuma, Eugene S. Ives (president).

House: Apache, N. Gonzales; Cochise, James Howell, M. O'Connell; Steve Roemer; Coconino, John H. Page; Gila, Jos. B. Henry; Graham, W. R. Webb, Gus Williams; Maricopa, G. U. Collins, John D. Marlar, T. T. Powers (speaker), J. W. Woolf; Mohave, Kean St. Charles; Navajo, W. A. Parr; Pima, N. W. Bernard, L. O. Cowan, M. Lamont; Pinal, L. C. Herr, P. A. Schilling; Santa Cruz, Bo J. Whiteside; Yavapai, Lucius R. Barrow; T. J. Morrison, W. A. Rowe; Yuma, F. S. Ingalls.

Twenty-third Legislature, Phœnix, January 16, 1905.

Council: Apache, Alfred Ruiz; Cochise, Steve Roemer; Coconino, John H. Page; Gila, G. W. P. Hunt (president); Graham, H. B. Rice; Maricopa, Jas. E. Bark; Mohave, J. E. Perry; Navajo, Benjamin Downs; Pima and Santa Cruz, N. W. Bernard; Pinal, Chas. H. Cutting; Yavapai, R. N. Looney; Yuma, M. J. Nugent.

House: Apache, J. B. Patterson; Cochise, Neill E. Bailey, William Neville, Charles Strong; Coconino, Charles Neal; Gila, Samuel A. Haught; Graham, Lamar Cobb, Jr., Wilfred T. Webb (speaker); Maricopa, L. R. Krueger, Watson Pickrell, J. H. Pomeroy, M. A. Stanford; Mohave, P. F. Collins; Navajo, Q. R. Gardiner; Pima, L. G. Davis, H. C. Kennedy, Thos. F. Wilson; Pinal, Alexander Barker, J. G. Keating; Santa Cruz, L. R. Bristol; Yavapai, Leroy S. Anderson, G. W. Hull, M. A. Perkins; Yuma, W. F. Timmons.

Twenty-fourth Legislature, Phœnix, January 21, 1907.

Council: Apache, John T. Hogue; Cochise, Stephen Roemer; Coconino, H. C. Lockett; Gila, G. W. P. Hunt; Graham, J. F. Cleaveland; Maricopa, E. B. O'Neill; Mohave, W. G. Blakely; Navajo, Robert Scott; Pima and Santa Cruz, E. M. Dickerman; Pinal, Thos. F. Weedin; Yavapai, A. J. Doran (president); Yuma, Donald McIntyre.

House: Apache, S. E. Day; Cochise, N. E. Bailey (speaker), Owen Murphy, John Slaughter; Coconino, L. S. Williams; Gila, John McCormick; Graham, J. R. Hampton, W. W. Pace; Maricopa, W. D. Bell, E. C. Bunch, J. W. Crenshaw, William Wallace; Mohave, C. G. Krook; Navajo, William Morgan; Pima, A. Bail, A. V. Crosetta, David Morgan; Pinal, J. I. Coleman, Nott E. Guild; Santa Cruz, B. J. Whiteside; Yavapai, D. A. Burke, R. N. Davidson, Geo. W. Hull; Yuma, J. D. Martin.

Twenty-fifth Legislature, Phœnix, January 18, 1909.

Council: Apache, S. E. Day; Cochise, Ben Goodrich; Coconino, F. S. Breen; Gila, G. W. P. Hunt (president); Graham, John R. Hampton; Maricopa, E. Brady O'Neill; Mohave, Kean St. Charles; Navajo, William Morgan; Pima and Santa Cruz, J. B. Finley; Pinal, Thos. F. Weédin; Yavapai, M. G. Burns; Yuma, Geo. W. Norton.

House: Apache, J. S. Gibbons; Cochise, Neill E. Bailey, Oscar W. Roberts, Fred A. Sutter; Coconino, Thos. J. Coalter; Gila, John McCormick; Graham, Phil C. Merrill, W. W. Pace; Maricopa, Frank deSousa, J. D. Reed, Sam F. Webb (speaker), J. W. Woolf; Mohave, S. W. Toby; Navajo, Joseph Peterson; Pima, John Doan, W. J. Hogwood, Kirke T. Moore; Pinal, J. S. Bourne, C. L. Shaw; Santa Cruz, Frank J. Duffy; Yavapai, G. A. Bray, Perry Hall; Geo. D. Morris; Yuma, R. A. Hightower.

CHAPTER XXX

ARIZONA UNDER STATEHOOD

Jeffersonian Simplicity Marked the Inauguration of Governor Hunt—Perpetual Legislatures and Many Referendum Submissions—The Governor's Opposition to Capital Punishment—How Delay Affected the Federal Judgeship—Popular Election of Senators.

On the date of statehood inauguration, February 14, 1912, Arizona passed into the southern group of states, not only democratic in political alignment, but keenly receptive of all the novel ideas of the time in respect to popular government. In the Constitution and in the trend of subsequent legislation greater power of direct control and of official review has been taken by the people at large than is known in almost any other state of the Union. Today is much too early to tell the result, but it may be said that while a strong majority stands firmly by the so-called "progressive" ideas, these ideas in practice have proved a bit cumbersome and far more expensive than the former more centralized system.

It is usual for a new state to adopt a special title by which it may in affection be known by at least its own citizenship. This name for Arizona is still unchosen. "Valentine State" would have to be shared with Oregon, which has the same birthday. The "Land of Sunshine and Silver" once was appropriate, but hardly now, for New Mexico wants to be known as the "Land of Sunshine," and silver no longer is the predominant mineral product. "Sun-Kissed Land" is a good title, and is that of Arizona's official song, but goes little further. "Baby State" is without dignity. Today possibly the best appellation would be "The Copper State," as Nevada lays claim to silver and California to gold, but the name that will endure is yet to be found.

LAUNCHING THE SHIP OF STATE

The day of statehood had been proclaimed by Governor Sloan a holiday, under the title of "Admission Day." Telegraphic word of the signing of the proclamation had been received during the morning. Governor-elect Hunt had made declaration that he wanted a simple inauguration. This he had. Refusing proffered automobiles or even a street car, he walked from his hotel to the capitol, a distance of over a mile, followed by a long train of dusty and perspiring political friends. The incoming party proceeded directly to a speaker's stand provided within the front portico of the capitol. In front of the capitol had gathered possibly a thousand auditors, among them Wm.

Jennings Bryan, later the Nation's Secretary of State. No uniforms were in evidence and there was no military escort.

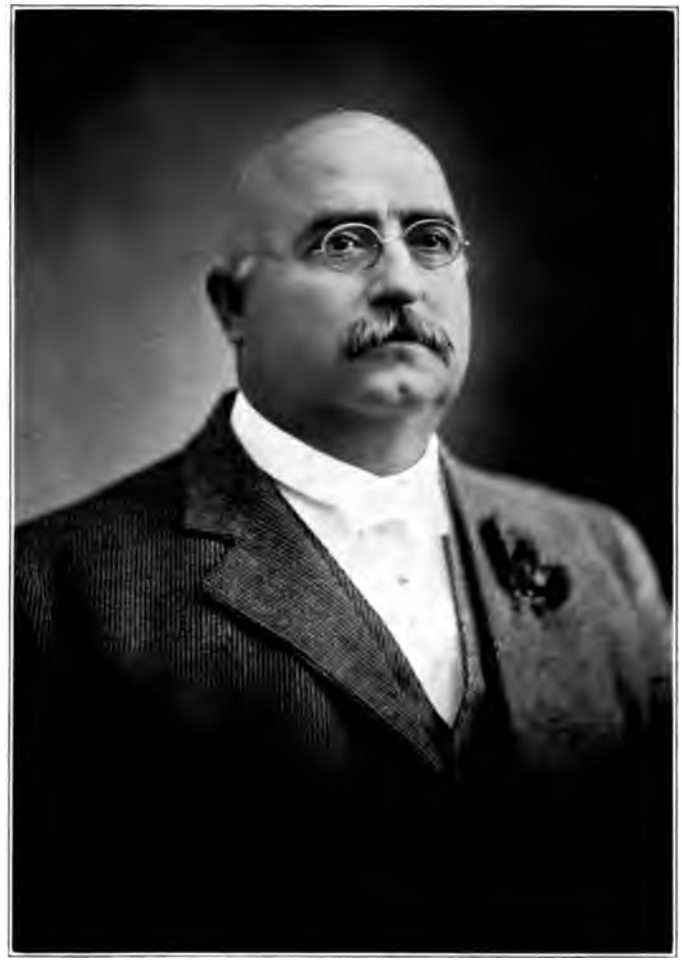
In Governor Hunt's inaugural address he pledged his support of the progressive provisions of the Arizona Constitution and stated his belief that the Constitution would amply vindicate the claims of its champions and "be a beacon light to those states and lands and peoples where the seed of popular government has been sown but has not brought forth fruit."

Governor Geo. W. P. Hunt, born in Missouri in 1859, has been a resident of Arizona since 1881, when he walked into Globe, driving a burro. He showed a high degree of business and political ability, advancing gradually from clerk to president of the town's largest mercantile establishment and soon was filling important offices of the county and territorial governments. For years he was sent from Gila County to the Legislature, serving in the Eighteenth, Nineteenth, Twentieth, Twenty-third, Twenty-fourth and Twenty-fifth sessions, elected president of the council in the Twenty-third and Twenty-fifth sessions. He was president of the Constitutional Convention and was one of the strongest forces in the work of enacting popular legislation. A student of political economy and of such large legislative experience, he has been remarkably successful in securing adoption of his ideas.

Throughout his service as governor, Mr. Hunt especially has shown his devotion to humanitarian ideals. He has sought to place the penitentiary inmates on the road to reform, occasionally with but poor success, and, fighting persistently, has managed to almost nullify the law permitting capital punishment for the crime of murder. During his administration to date there has been only one execution at the state penitentiary and that over his protest. His leaning on the side of mercy has not had legislative or popular support. The Legislature has taken from the governor the power of pardon and parole and in this action has been sustained by the courts and by a referendum vote of the electors.

The other elected officers installed at the time of statehood were: Sidney P. Osborn, secretary of state; J. C. Callaghan, state auditor; D. F. Johnson, state treasurer; C. O. Case, superintendent of public instruction; W. P. Geary, F. A. Jones and A. W. Cole, corporation commissioners; Alfred Franklin, chief justice; D. L. Cunningham and H. D. Ross, associate justices.

Soon after the advent of the national democratic administration, republican offices began to pass into democratic hands. A number of hold-overs, especially among the postmasters, stayed until the expiration of their terms, but several who were appointed in the last days of the Taft administration were peremptorily dropped from the payrolls. One of these was United States Marshal Chas. A. Overlock, who had been in office since December 1, 1909, and who had been reappointed on the day of statehood. United States Attorney J. E. Morrison gracefully resigned about the same time. As successor to Overlock was appointed Jos. P. Dillon and for the attorney's office was chosen Thos. A. Flynn, who had been an associate in law of Senator Ashurst. Lewis T. Carpenter became collector of internal revenue for the Arizona-New Mexico district, the office being moved from Santa Fé to Phœnix. Thos. R. Weedin of Florence and John J. Birdno of Safford, respectively, were made register and receiver of the United States land office at Phœnix.



GEORGE W. P. HUNT
Arizona's first governor under statehood

SLOAN AND THE FEDERAL JUDGESHIP

It had been well known that President Taft had settled upon Governor Sloan to be the first United States judge in the state of Arizona. The nomination was duly made, but its confirmation was held up by the opposition of the two Arizona senators, apparently on the basis of charges, but in reality to secure delay till a democratic president should be in the chair—a political prophecy generally considered well based. Though endorsement was given by the Arizona Bar Association, the nominee, representing political ideas very widely at variance with those that had been so warmly embraced in Arizona, became the target of one of the worst of the attacks that have been so common in Arizona's political history. One set of charges even was printed in an eastern magazine of large circulation, which, after suit for libel had been instituted, retracted and apologized and paid substantial damages. Judge Sloan was given an ad interim appointment in August, following the adjournment of Congress, but this could last only till the end of the presidential term. In the December session of Congress few republican confirmations were made. So, with the retirement of President Taft, Judge Sloan left the Arizona bench after long years of service. Judge Wm. M. Morrow of California and other federal judges filled in the periods of vacancy in the local judgship, to which in August, 1913, finally was appointed W. H. Sawtelle of Tucson. At first the court sessions were confined to Phœnix, but later authority gave sessions to other cities.

Under the territorial form of government, legal jurisdiction, above the justices and Probate Courts, was vested in District Courts, each presided over by a justice of the Territorial Supreme Court, a presidential appointee. An early Legislature tried the experiment of County Courts, but they had short life, the creating act proving defective.

Under statehood Superior (County) Courts were established, embracing probate functions, and over them a Supreme Court of three members. The personnel of this court has not been changed in two elections. Judge Alfred Franklin (son of the late Governor Franklin) first served as chief justice, a distinction that went to Judge Henry D. Ross in 1914.

THE FIRST STATE LEGISLATURE

The first state Legislature of Arizona convened March 18, 1912. As president of the Senate was chosen M. G. Cunniff of Yavapai County, who had been chairman of the Committee on Revision and Style in the Constitutional Convention, and who had had much to do with the character of the document evolved. The most important part of the work comprised drafting laws in accordance with the provisions of the Constitution, furnishing some excuse for the unprecedented and seemingly unnecessary length of time consumed by the body, at very great expense to the taxpayers.

A few days after the beginning of the session was performed an interesting duty, the formal election of Marcus A. Smith and Henry Ashurst as senators from Arizona, following out the expressed will of the people and at the same time deferring to the Constitution of the United States. It is worthy of notice that in the Arizona Senate, Smith's nomination was made by none other than John T. Hughes of Pima County (son of the former governor), thus burying

a hatchet that had been much in evidence for many years between his family and the senator-elect. The Legislature passed a very drastic miners' lien law, provided an inheritance tax, and possibly trespassed upon the powers of Congress in providing that aliens who cannot become citizens shall not hold real property, giving those in possession of such property five years in which to dispose of it. There was a continuation of the anti-corporation legislation, including five laws for the regulation of railroads, in such matters as electric headlights, the length of trains, etc.

Much remained to be done at the expiration of the session's time limitation on May 18, and a special session convened May 23 to adjourn June 22, still with much undone in the way of putting into effect the mandates of the Constitution.

A special session of the First Legislature was called by Governor Hunt, commencing February 3, 1913. The message, which was of seventy-five paragraphs, outlined a broad field of work and especially named fifty-seven statutes for possible amendment.

At the special session H. H. Linney was elected speaker of the House, Sam B. Bradner being deposed on the ostensible ground that he had forfeited right to membership in the Legislature by accepting appointment as secretary of the Arizona Live Stock Sanitary Board. Cunniff was retained as president of the council. Still a third special session, the fourth session in about a year, had to be convened April 14, because no appropriation bill had been passed and work had not been finished on the civil code. There had been passed a criminal code, but it had been vetoed by Governor Hunt because it did not conform with his peculiar ideas with reference to the pardoning power. The governor in his call again gave this special session a large amount of leeway, including no less than sixty-two items on which legislation was recommended.

The act creating a board of pardons and reprieves was directly leveled at Governor Hunt's prison policies and his known antagonism to capital punishment. It provided that all pardons and reprieves should be granted by him only upon recommendation of a board not of his own appointment. In the state penitentiary were a dozen murderers who had been reprieved repeatedly by the governor, pending possible approval of his policies by the people and courts. Final appeal to the courts gave no comfort to the executive, for the Supreme Court of Arizona, in April, 1915, approved a decision of the Superior Court of Pinal County declaring the board a legally constituted body.

At Tucson, June 3, 1912, came a decisive split in the republican party. The two counties of largest voting strength, Maricopa and Cochise, had aligned with Roosevelt. Yet, with a favoring chairman's aid, both were claimed for Taft. So the Roosevelt supporters, with former Governor Kibbey leading, had a separate convention, to nominate a delegation that was thrown out at Chicago. The real strength of the two republican divisions in Arizona was better shown at the fall election. The democratic primaries showed a preference for Champ Clark, with Bryan and Wilson following.

The election of November 5, 1912, resulted in the demonstration of a solid and unshakable democratic plurality. The democratic electors led in nearly all counties and were given a total vote of 10,324. Roosevelt, progressive, received 6,949, and Debs, socialist, 3,163 votes, leading Taft, republican, who

HON. HENRY F. ASHURST
United States Senator from Arizona

had only 3,021. Chafin, the prohibition candidate, received 265. In the preceding primary election, held September 10, the total vote had been only 7,267, with the democrats casting 3,867.

Arizona's first presidential electors were Will T. Webb of Graham County, John R. Hampton of Greenlee County and Mrs. Pauline O'Neill of Maricopa County. Webb tarried long in St. Louis, where later he was married, and got to Washington too late with the ballots, but no objection was made to their inclusion within the Wilson strength.

THE PEOPLE AS LAWMAKERS

At the election of 1912 were submitted a number of constitutional amendments and referred bills, nearly all of them with party support from the democracy. The recall of judges, which had been stricken from the Constitution as a prerequisite to statehood was re-enacted by the overwhelming vote of 16,272 to 3,491.

Woman suffrage was enacted by an unexpectedly large majority, the vote standing 13,452 to 6,202. The electors also granted the state power to engage in industrial pursuits.

A bias against corporations manifested in the First State Legislature led to the passage of a 3-cent fare bill. This was taken to the people for a referendum vote and the corporations again were downed. Thereafter, in considering a judgment of alleged illegal charges made by a Tucson public utilities corporation, the Supreme Court of Arizona decided that the Legislature had no powers in such cases and that service charges made by such corporations could be fixed only by the Corporation Commission. Thus an act of the Legislature and the voice of the people at the polls both were declared unconstitutional. The 3-cent-fare case still was pending before the commission over a year later.

There had been a Supreme Court decision to the effect that state officials, who had believed themselves elected for only a short year, would hold over till the end of 1914. This narrowed the political struggle of the fall time. Carl Hayden, democrat, who was serving under a national tenure of office, was re-elected congressman, over Robert S. Fisher, progressive, and Thomas Campbell, republican.

In 1913 there was much legislative talk about the governor's attitude toward criminals and there was even an investigation of conditions at the prison, with testimony to the effect that convicts had been permitted to go to social entertainments in Florence. The governor defended himself vigorously, claiming that the prosecution was by persons actuated by hatred, jealousy and base political motives. There was only mild censure of the investigating committee, for the governor already had corrected the objectionable features of what seemed a too-lax prison discipline. This same session refused to vote any money to the California expositions. Suggested appropriations were fought especially by labor unions, which were against San Diego on account of that city's attitude in an I. W. W. invasion.

When this Legislature finally stopped, May 17, 1913, it was figured that it had cost the state about $180,000, for a while the expense running nearly $1,000 a day. State Auditor Callaghan made a computation that for the fiscal year it

had cost $304,460.01 more to run the State of Arizona than it had the territory and state during the preceding fiscal year.

Named as a holiday for all of the state, there was an especial celebration April 24, 1914, "Arizona Day," rather indefinitely honoring the fiftieth anniversary of the establishment of government in Arizona. In Phœnix was a formal banquet and, in compliance with the governor's recommendation, in each of the larger towns citizens met to drink a toast to their state.

ELECTIONS AND POPULAR LEGISLATION

The year 1914 was a busy one politically, for a half dozen parties were in the field at the primaries. The democrats renominated all the state officials, save the treasurer and Attorney-General G. P. Bullard, who had resigned. In his place was put Wiley E. Jones. Senator Marcus A. Smith, who had drawn the short term and who sought re-election, had opposition in the primaries, but secured a place on the democratic ticket. The progressives put out a full ticket, with Geo. U. Young for governor and J. B. Nelson for United States senator. The republicans, seeking coalition with the progressive forces, placed Judge J. H. Kibbey at the head of the State Central Committee. Their nominations included J. Lorenzo Hubbell for senator and Ralph H. Cameron for governor.

In the fall Senator Smith secured 25,790 votes, compared with 9,178 for Hubbell. The third candidate unexpectedly was Eugene W. Chafin, prohibitionist, who received 7,248 votes. The progressive party failed to make its showing of the previous election. Carl Hayden was re-elected representative in Congress by the largest vote given any candidate, 32,296. Governor Hunt was re-elected by a vote of 25,226, Cameron receiving 17,602. The other state officials were re-elected in order, saving only P. J. Miller, tax commissioner, in whose place was chosen T. E. Campbell, republican, and Mitt Simms, democrat, succeeded to the office of treasurer.

The referred measures were led in importance by prohibition, which carried by a majority of 3,144. In only five of the counties of the state did prohibition carry and the majority in Maricopa County alone was practically the same as that within the state at large. The section of the penal code dealing with pardons and reprieves was approved over the protest of the governor and the 3-cent-fare law was approved, only to be found unconstitutional. Among the initiated measures carried were the anti-blacklist law, the mothers' pension bill, the 80 per cent law, the electrical construction law and a bill permitting the state to engage in industrial pursuits. Among those defeated were the anti-capital punishment bill, an appropriation for the coast expositions, an Australian tax bill and a bill for the creation of Miami County.

It is an interesting fact that the more important of the labor bills passed later failed to stand the scrutiny of the courts, including the anti-blacklist and mothers' pension bills. The latter would have provided at least $15 a month for every destitute mother and a separate grant for each child, as well as an old-age pension, irrespective of sex or of dependence, all of this going with an abolition of alms houses. The same course was taken by the 80 per cent bill, which permitted the employment of only 20 per cent of aliens in any work wherein five or more were engaged.

HON. MARCUS A. SMITH
United States Senator from Arizona

The second State Legislature met January 11, 1915. Dr. W. P. Sims of Cochise County was elected president of the Senate and William Brooks, speaker of the House. The session especially was distinguished by the seating of two female members, Mrs. Frances Willard Munds in the Senate and Mrs. Rachael K. Berry in the House. It is possibly worthy of note that Mrs. Munds expressed herself in favor of smoking in the legislative chambers and Mrs. Berry protested against the use of the weed. All members were democrats, save Senator D. D. Crabb, republican. The governor's message was lengthy, with special consideration of the labor question and of warning against the pernicious activity of the corporations, with a suggestion that the unemployed should be cared for by public works, that there be a state employment bureau and that a minimum wage be established for women. The initiative and referendum were defended at length as of potent value and there was defense of the governor's prison policy.

That the special session habit had become fastened on Arizona State Legislatures was evidenced in the adjournment of the second Legislature on the evening of March 11, 1915, without passing the appropriation, mine taxation and land sale bills. Sixty-eight bills had been passed, none of them particularly important. Possibly the act of largest general interest passed was the Pari-mutuel, designed to permit betting at the state fair. This act was assailed by church organizations and finally was vetoed by the governor.

A special session had to be called, commencing April 23, 1915, and still another on June 1, which, on account of the temperature of the legislative halls, disposed of its work and departed soon thereafter.

Among the measures approved were: Providing for the changing of county seats by popular vote; establishing fish hatchery stations; permitting cities to appropriate for local advertising; establishing a bureau of mines within the State University; authorizing Indian superintendents or agents to issue marriage licenses and solemnize ceremonies; authorizing the sale of the old Industrial School property at Benson; adopting the design of a flag for the State of Arizona, a golden-rayed sun, rising on a sea of blue; giving towns for fire protection 50 per cent of any state tax paid by fire insurance companies for business written within the cities affected; providing that all persons who register for voting shall declare the political party to which they are affiliated and shall vote only for the candidates of such parties at primary elections; prohibiting the opening of barber shops on Sunday; establishing a law and legislative reference bureau. Bills to enforce the prohibition law all were passed over, though such legislation had been directed in the referendum proposition. A memorial tablet in the capitol rotunda was voted to the memory of M. G. Cunniff, late president of the Senate, who had died the previous December.

PERSONNEL OF THE STATE LEGISLATURES

The membership of the State Legislatures follows:

First State Legislature.

Senate: Apache, Lorenzo Hubbell; Cochise, C. M. Roberts, W. P. Sims; Coconino, Fred S. Breen; Gila, J. F. Hechtman, Alfred Kinney; Graham, Wm. W. Pace; Greenlee, G. M. Chase; Maricopa, H. A. Davis, C. B. Wood; Mohave, Henry Lovin; Navajo, J. H. Willis; Pima, J. T. Hughes, A. O. Worsley; Pinal, J. F. Brown; Santa Cruz, J. H. Harrison; Yavapai, M. G. Cunniff (president), H. R. Wood; Yuma, F. W. Wessel.

House: Apache, Nacieseno Gonzales; Cochise, J. M. Ball, Sam B. Bradner (speaker), Dr. George DeLos Craig, A. G. Curry, J. F. Duncan, W. J. Graham, C. B. Kelton; Coconino, Thomas Maddock; Gila, W. E. Brooks, J. T. Lewis, John Murphy; Graham, Anton E. Jacobson, A. R. Lynch; Greenlee, M. H. Kane, Wm. M. Whipple; Maricopa, D. C. Babbitt, G. F. Cocke, J. A. R. Irvine, L. S. Jacobs, Harry Johnson, D. P. Jones; Mohave, John Ellis; Navajo, F. O. Mattox; Pima, J. W. Buchanan, F. L. Crowfoot, K. T. Moore; Pinal, Alexander Barker; Santa Cruz, H. J. Saxon; Yavapai, Perry Hall, H. H. Linney, A. A. Moore, P. S. Wren; Yuma, T. M. Drennan, James R. Kerr.

Second State Legislature.

Senate: Apache, Fred T. Colter; Cochise, W. M. Riggs, W. P. Sims (president); Coconino, Hugh E. Campbell; Gila, John E. Bacon, Alfred Kinney; Graham, D. H. Claridge; Greenlee, Geo. H. Chase; Maricopa, O. S. Stapley, Sam F. Webb; Mohave, Henry Lovin; Navajo, D. D. Crabb; Pima, Mose Drachman, Andrew P. Martin; Pinal, Chas. E. McMillen; Santa Cruz, H. K. Karns; Yavapai, Morris Goldwater, Mrs. Frances W. Munds; Yuma, J. S. Garvin.

House: Apache, Mrs. Rachel Berry; Cochise, Sam P. Briscoe, Wm. L. Cook, Oscar Doyle, C. T. Francis, Wm. J. Graham, J. S. Merrill, J. E. Newbury; Coconino, Wm. Marlar; Gila, Wm. E. Brooks (speaker), B. F. Baker, W. D. Claypool; Graham, J. D. Lee, J. H. Lines; Greenlee, John Christy, S. F. Lanford; Maricopa, G. D. Acuff, A. G. Austin, J. C. Goodwin, J. E. McClain, T. T. Powers, L. F. Vaughn; Mohave, W. P. Mahoney; Navajo, Sam W. Proctor; Pima, J. W. Buchanan, S. A. Reed, J. B. Richardson; Pinal, F. Pinkley; Santa Cruz, Richard Farrell; Yavapai, A. A. Johns, J. E. Leeper, J. J. Sweeney, O. F. Orthel; Yuma, J. L. Edwards, J. B. Flanagan.

CHAPTER XXXI

PASSING OF THE OLDEN DAYS

Decline and Fall of Arizona Gambling—Character of the Professional Gambler—Early Efforts Toward Prohibition and Final Success—Female Suffrage and Its Effect upon Politics—Non-alcoholic Baptism of the Battleship "Arizona."

Gambling was a recognized institution in Arizona till only about ten years ago. In many places gambling games ran day and night and it wasn't uncommon to see the most prominent citizens of each community gathered around the faro tables in gambling halls, where women singers were regularly employed.

The Twentieth Legislature was notable for about the first attempts made to curb gambling and the liquor traffic. Measures of this sort usually were fathered by Member Winfield S. Scott of Maricopa County, a retired chaplain of the regular army. Announcement was made by him that on a certain date he would deliver a three-hour address on the vice of gambling. After only five minutes of his great speech the House brutally adjourned.

Tucson led in the territorial movement against gambling. In January, 1905, the first business done by the new city council, led by Mayor L. H. Manning, was to place a license fee of $250 a month on all gambling games and to prohibit such games in the vicinity of saloons. The gambling element was assumed to have won the city election in Phœnix in May, 1905, in the election of the republican candidates, despite the fact that the opposition ticket had declared against the licensing of any game of chance. The Legislature of 1906 refused to prohibit gambling but at that time there were indications of the beginning of the end.

Possibly Phœnix led in reform measures, passing ordinances forbidding the employment of women in saloons and closing saloons at midnight. In a Phœnix republican city convention, held in 1906, the nominees were pledged to submit to a vote of the people the question of gambling. The proposition was popular, for every candidate was elected in the face of an apparent democratic majority. When the vote was taken, the first referendum ever known in Arizona outside of school districts, a large majority of the voters instructed the city council to make gambling illegal. The Legislature of the next spring followed the lead and prohibited gambling all over Arizona. There were predictions of dire misfortune and of business stagnation in thus abolishing one of Arizona's most cherished institutions. But the change proved beneficial and it is possible that the same results will proceed out of prohibition.

It might here be noted that the gambler of frontier times was, on the whole, a pretty decent sort of fellow, in whose hands your life and property were

reasonably safe. This observation, however, refers only to the men of acknowledged gambler class and not to hangers-on, vicious then as now. The gambler did not create the conditions around him—he merely was a part of them, supported by the spirit of the times, in which nearly every man was willing to stake life or wealth on a throw of the dice. Gambling and liquor furnished about the only diversions available to or understood by the pioneer, who knew not the savings bank and in whose pockets money would burn a hole. In the different communities they met quiet welcome from such men as Fred Hughes, Ben Parker, Smithy and Johnny Benbrook, Charlie Brown, Six-Toed Pete, Preacher Frank, Tom Barnum, Ben Belcher, Bob Brow, Jock Blinckhorn or Wint House and were assured of "a clean run for their money." Such men as named really filled an important place in the society of the times. One of the most notable of the frontier gamblers was Caribou Brown, for more than thirty years a faro dealer within the territory. He was a giant in size, six feet four inches in height, yet one of the gentlest men in demeanor and speech. He was said to have never been known to tell an untruth or pull a crooked card. He had been a sailor and was captain of a merchantman before he came to the Pacific Coast with some romance attaching to his history concerning the quelling of a mutiny in which he is said to have taken rather harsh measures. He died in Tucson in May, 1903, at the age of 87 and every saloon and gambling house closed while their attaches attended the funeral.

KNOCKING OUT THE DEMON RUM

Though Arizona abroad is considered a region in which the hours of the day are marked by "drink times," and while it is a fact that much of the early social life and politics of the territory centered in the saloon, there were attempts even in what might be called pioneer times to abolish the use of alcohol as a beverage and to diminish the strength of the all powerful liquor interests Gov. A. P. K. Safford in 1874 charged nine-tenths of the crime of that day to ardent spirits and observed: "When we consider that no one is benefited by its use, except for medicinal purposes, and that no greater evil afflicts the human family, should it not stimulate every good man and woman to discountenance its use as far as possible?"

In 1884 Tucson was vited by Miss Frances Willard, evangel of the Women's Christian Temperance Union, who then organized a territorial W. C. T. U. A few months before that in Prescott had been organized the first local branch of the W. C. T. U. by the wife of Colonel Clendenning, then stationed at Fort Whipple. In 1887 at the third annual territorial convention of the W. C. T. U., held at Phœnix, a legislative committee was appointed to urge the enactment of three laws: fixing the age of consent at 16 years, prohibiting gambling and requiring the observance of the Sabbath. Failure of success in this mission led to the organization of the Women's Equal Rights Association which, in one form or another, has been maintained ever since, with the main idea that only by putting the ballot in the hands of women could the liquor power be overthrown. Federal supervision of the liquor traffic in the territories was recommended by Governor Hughes in 1893.

But suffrage and prohibition still met defeat at each successive Legislature until statehood came. Finally, in 1901, a local option act was pushed through

Photo by Bate, Prescott

"CALLED"

the Legislature largely through the influence of the Mormon Church. Under this, scattered communities commenced to vote themselves "dry," particularly in Apache, Navajo, Maricopa and Graham counties. The local option bill had been allowed to pass only with the provision that any incorporated town could be segregated in a county vote on prohibition. Thus it happened that while Apache and Graham counties went wholly dry, in Navajo County Winslow was excepted and Phœnix in Maricopa County. Finally, on a referendum vote in the election of 1912, woman suffrage proved successful. In the succeeding election the long-sought-for result was accomplished. In November, 1914, prohibition, the first on the ballot of several suggested constitutional amendments, was adopted by a popular vote by a majority of 3,144, though carrying less than half the counties. This result was almost unexpected by the liquor dealers, who promptly appealed to the courts, claiming illegality of the amendment and a practical confiscation of their property through the provision that the act became effective January 1. It was alleged that in preventing the use of wine in sacramental services the act violated the Constitution of the United States, that it violated the interstate commerce law and that it was not self-executing and that it could not be enforced until the Legislature had established proper legal machinery therefor. Every protest proved unavailing, however, and the law went into effect promptly in the first hour of the new year. There were no wild orgies, as had been predicted. Very generally the liquor dealers at midnight herded out a quiet crowd, locked the doors and went home.

There has been a large loss of revenue from liquor licenses, but on the other hand petty crime has decreased very materially and the cost of public administration thereby has been lowered. In Phœnix the arrests for drunkenness had averaged over ten a day. Only occasionally in 1915 has there been an arrest for this cause and such an arrest usually led up to the apprehension of some illicit liquor dealer. General business is said to have been even benefited by the diversion of the money that formerly went for the purchase of liquor. It is yet too early for a full report, but there appears to have been an economic gain through prohibition, without reference to the abstract morality involved in the change from a condition of license that had historic authority behind it.

GIVING ARIZONA WOMEN THE BALLOT

As elsewhere stated, the woman suffrage idea in Arizona rather had its inception in the prohibition movement, with the understanding that women would knock out the Demon Rum were she given the ballot. This is what really happened, after many years, but the suffrage movement had gained its own standing in the meantime and was being pushed with only incidental reference to the liquor traffic. Suffrage had been accepted as a really vital political issue.

Almost since the establishment of a school law in Arizona women have been permitted to vote in school elections, when they were mothers of children of school age or property owners. Along this same line was a bill that passed the Legislature of 1897, that gave suffrage in municipal elections to taxpayers, regardless of sex. This law later was found defective.

Women's rights has been before almost every legislative session in Arizona back as far as 1891. Governors Hughes and Murphy recommended it. Frequently one house would pass an enfranchisement bill after assurance had been

received that the other body would kill it. Once, in spite, the second house passed the measure, when the governor was known to be more than anxious to attach his signature. The Legislature took a recess long enough to receive the tearful thanks of the female lobbyists. When the women had gone to telegraph the good news, the Council reconvened, recalled the bill and killed it very dead indeed. The Twentieth Legislature and Governor Murphy in 1899 seemed interested and much legislative work that year was done by the women, led by President Carrie Chapman Catt of the National Equal Suffrage Association.

On the Legislature of 1901 the women made an exceptionally determined attack, represented on the floor by Assemblyman Andrew Kimball. On final action in the House only eight voted for the measure, after Assemblyman James had moved that the bill "be laid on the table with reverent and gentle hands, to be covered over with beautiful flowers and there lie till the meeting of the next Legislature."

Female suffrage in Arizona nearly became a reality in the Legislature of 1903. The two legislative bodies were far from friendly and when the House passed a suffrage measure the Council unexpectedly concurred by a vote of eight to four. So the bill went to Governor Brodie, who in the latter hours of the twenty-second legislative session, much to the relief of the legislators generally, transmitted to the House his veto of the measure. The message was received with applause from the floor and the veto was sustained by a vote of fourteen to eight. The governor's message recited briefly that in the opinion of the executive the bill was not within the powers of the Legislature to legislate upon, that it was not consistent with the Constitution of the United States and was beyond the constitutional limitations of the Legislature. However pleasing the veto was to a majority of the legislators, there was consternation in the galleries, where a hundred suffragists had congregated to enjoy their triumph.

In 1909 there started a regular campaign for suffrage, led by Mrs. Frances Willard Munds of Prescott, Mrs. Pauline O'Neill and Mrs. L. LaChance of Phoenix and a half dozen others who believed it a holy crusade. An organizer was brought in and the women of the territory were brought into line in systematic manner, with clubs in every town. In the first State Legislature a suffrage bill made no progress but one that called for submission of the question to a popular vote came within one vote of passing.

Then it was that the women abandoned the Legislature and appealed their case to the people, favored by the very progressive laws established by a constitutional convention that, like that of 1893, refused the women enfranchisement. The appeal was made in the election of 1912. The men responded and, by a vote of about two to one, lifted women to full political equality.

The result by no means has been incendiary. Undoubtedly it has had much to do with the vote by which Arizona, from January 1, 1915, abolished the traffic in liquor. But, in a general way, the political complexion of the state has been affected not at all. The relative balance between the parties seems to have remained the same. A few more women are to be seen around the public offices. A woman, Mrs. Pauline O'Neill, was a presidential elector. Mrs. Munds has gone to the State Senate, and Mrs. Rachel Berry, another strong character, a daughter of Rufus C. Allen of the Mormon Battalion, has served in the second

Mrs. Rachael Berry

Mrs. Frances W. Munds

MEMBERS OF ARIZONA STATE LEGISLATURE

House of Representatives from Apache County. The last election found women voting in about the same proportion as men and the campaign and election were the cleaner for their presence. Even cleaner will be succeeding elections, it is felt, through the separation of politics and liquor.

An interesting judgment was given in February, 1914, by the Supreme Court of Arizona in a case wherein the property of a husband had been attached on a judgment of $6,500 secured by his stenographer against his wife, who had inflicted bodily injuries upon the employee. The court decided that when woman was enfranchised in this state, she thereupon assumed full liability for her own acts, her husband liberated from the position of acting guardian, a relationship recognized in most of the states. Had the ruling been otherwise it would have been a grim joke, for the man and wife in the meantime had separated.

The State Federation of Women's Clubs, a body that is non-partisan in every sense, was organized in Phœnix in November, 1901, the idea brought to Arizona by Miss Anne Rhodes, a vice president of the New York Federation. The Federation now has membership of clubs, in every part of the state, including organizations devoted to every phase of feminine interest in civics and the arts.

CHRISTENING A BATTLESHIP WITH WATER

The first American warship of importance to bear the name of "Arizona," slid from the ways of the Brooklyn navy yard in June, 1915, christened with the first water over the Roosevelt dam, from a bottle broken against her prow by Miss Esther Ross of Prescott. Inquiry develops the fact that two vessels before had borne the name, though only one was of any importance. She was an iron, paddle-wheel steamer, built at Wilmington, Delaware, in 1858. Her name was changed during the Civil war, when she became the blockade runner "Caroline." While enroute from Havana to Mobile, loaded with munitions of war, she was captured, October 28, 1862, by the Federal warship "Montgomery." She was condemned in a prize court at Philadelphia, sold to the Government for $845,000, given her original name of "Arizona," and assigned to the Gulf squadron, armed with a battery of six guns. She participated in a number of important engagements along the gulf coast, at Sabine Pass, and on Red River, till destroyed by an accidental fire while on her way up the Mississippi River from Southwest Pass, to New Orleans. Four of her crew of ninety-eight men were lost in the fire.

The new Arizona when she goes into commission will have displacement of 31,400 tons. She is 608 feet long, will have a speed of twenty-one knots, and will have cost the Government more than $13,000,000 to build and equip. She will have a main battery of twelve fourteen-inch guns, firing projectiles that weigh 1,400 pounds each, in addition to a secondary battery of twenty-two five-inch guns. Her crew will number about 1,000 officers and men.

CHAPTER XXXII

MINING AND MINERS

Prospectors Ever in the Vanguard of Civilization—Wealth that has Come Through a "Grubstake"—"Lost Mines" of the Southwest—The Miner Party—Fraudulent Mining Schemes—Arizona Diamonds that Came from Africa—Quijotoa's Boom.

It is a curious and little appreciated fact that the miner is the scout of civilization. He braves the savage, the desert's heat, the Arctic's cold. Alone, he fearlessly penetrates regions wherein his foot is the first to tread. It was the pursuit of golden dreams that sustained the weary marches of the Spanish explorers of America. Thus it was with Arizona. Coronado's quest, four hundred years ago, was for the gold of the Seven Cities. Though the Spaniards found no gold in Cibola, they found it elsewhere, and for centuries the greatest revenues of the Spanish crown were from mines now included in Southern Arizona. The Spaniard mainly confined his operations to Pimeria, among peaceable tribes. The Anglo-Saxon went even farther when he came into possession of the land. There is not a valley in Northern or Eastern Arizona that has not its tale of prospectors ambushed by Apaches. Yet, step by step, the Apaches were driven back. Following the prospector and the miner came the trader, the cattle rancher, the farmer, the homeseeker, till today Arizona's civilization, based upon the mine, is as sound and as modern as is that of much older commonwealths. No longer is mining the only industry, but it is still the chief. It is well that it is so, for the dollar from under the ground is a new dollar and a whole dollar. The bright golden bar from the assayer's den in the stamp mill means so many more actual dollars added to the money in circulation; every drop of the fiery stream from the converter's lip, means just so much more permanent wealth brought into being for the good and use of mankind. And mining has passed the experimental stage. "Luck" counts for little in the business. Nearly every great fortune of the West has been made in mining, and nearly every fortune has been made by men of good, hard horse sense, who went in on their judgment and not on their hopes and enthusiasm.

Though many of the people of Arizona for years clung in affection to the 16-to-1 theory, it was a fact that the demonetization of silver really had little effect upon Arizona. Broadly stated, almost every silver mine within the territory had closed before silver had sunk below a dollar an ounce. The famous mines at McCracken, Tombstone, Silver King, Richmond Basin, Mack Morris

and in the Bradshaws about all had been closed down and there remained very little exploration for silver outside of Mohave County.

OPTIMISTS OF THE HILLS

The professional prospector of the Southwest is practically of the past. As a rule he lived on a "grub stake" furnished by some gamblesome group of individuals in the town wherein the prospector made his headquarters. The law of such co-partnerships was definitely recognized. As a rule there was no very close agreement made between the parties; rarely was any contract put down in writing, but the unwritten law of the land was that the man who furnished the "grub stake" got a half interest in any location that was made by the prospector during the time when he fed upon "grub" furnished by his urban partner. It was rare indeed that such agreements were violated. The prospector nearly always kept faith. The system came into Arizona from Nevada and California, where many of the fortunes realized by country storekeepers, saloonkeepers and gamblers came through modest "grub stakes" furnished some old prospector.

The prospector's outfit was of the simplest, in keeping with his life and taste. There was always a burro, usually one that had had years of experience in the prospecting game, and that never strayed far from the camp, however transient it might be. Wonderful tales are told of these prospecting burros of old; they were fond of bacon rinds, and would always leave the sage brush and catclaw, upon which they were supposed to thrive, to join the prospector in consuming the last of the baking-powder biscuits.

The prospector of old was a man sustained by a boundless faith and never-quenched hope. In reality he was a gambler of the most pronounced type; every hill held for him the chance of a bonanza, and no rocky point was passed without an investigating tap from his hammer; every iron-stained dyke had to be sampled in his gold pan. Most of the prospectors were overly sanguine; they fairly loaded themselves and their principals down with prospects, on which the annual assessment work would have cost far more than the value of the ground. Many a prospector has boasted that he held even 100 locations. To have fulfilled the letter of the mining law, such a number of claims would have necessitated the expenditure of $10,000 in annual assessment work, yet the individual speaking might have assets on which could not have been realized $10.

All through the hills of Arizona are to be found the monuments left by these prospectors, where they first located and then tested claims that were worthless in nearly every instance. They were looking for sudden riches, and failed to understand the philosophy of the latter-day miner, worked out by hard experience, that mining, after all, is a manufacturing industry, and that the greatest profits are not found in rich pockets of silver and gold, but in the percentage of income over expense that can be gained by the working of large quantities of ore of fairly uniform grade, handled almost mechanically and under the most economical conditions.

The prospector's life was rough, and yet not particularly laborious; he drifted through the hills on trips that were limited only by the quantity of grub he carried or could command. As a rule he slept out in the open, whatever the weather, and his diet was based unendingly upon bacon and black coffee, with

sour-dough or baking-powder bread on the side. Tobacco, of course, was an absolutely essential feature of his ration. When the trip was up and his locations had been recorded, rarely did the professional prospector ever work upon the mines he had found. If the find proved good, he sold out for some modest sum, which he often spent in dissipation. Then it was back again to the hills with the same old burro, living a life which he would not have exchanged for any other.

A very different type was the miner who did occasional prospecting, usually when he was out of work or when he got tired of the darkness underground and wanted a trip into the hills in communion with the face of Nature, instead of her heart. A man of this sort usually paid his own way and held fast to anything good that he found. Not necessarily of higher type than the professional hunter of mines, he was of more substantial character and in hundreds of instances graduated into the class of mine-owning capitalists and became one of the leading citizens of his locality.

A BLIND MINER AND HIS WORK

Mohave County has given the world many instances of rare courage in its pioneer days, but nothing finer than the tale how a blind miner, Henry Ewing, unaided sunk a shaft on his Nixie mine, near Vivian, not far from the present camp of Oatman. It was in 1904, after Ewing, a gentleman of culture, had lost his eyesight. Despite the warning of friends, he persisted in returning to his mine, where he rigged up leading wires, to assure him a degree of safety and then set up a windlass over his twenty-foot hole. He blasted and dug and hauled the ore buckets to the surface and cared for himself in camp, his worst adventure an encounter with a rattlesnake and narrow escape from death on the trail. Another experience was falling from a ladder a distance of thirty feet, receiving serious injuries, yet managing to climb out and to seek assistance at a nearby mining camp.

Almost as much pluck has been shown by several miners who have developed their claims alone. In the Hualpai Mountains, Frank Hamilton started upon such a work in 1874 and alone sunk two shafts, 100 and 50 feet deep. In the same district a memorandum has been found of J. L. Doyle, who alone sunk two 65-foot shafts and connected them with a drift. Enoch Kile, a Yavapai County miner, single-handed sunk a 75-foot shaft and doubtless many other such instances could be found.

ARIZONA'S MANY "LOST MINES"

Almost every prospector, whether professional or tenderfoot, had his own pet "lost mine" that he looked for. Hundreds of "lost mine" stories have been localized everywhere over the West. The richest always was somewhere out in the desert, beyond water, or within almost inaccessible mountains, where wild Indians guarded the golden secret handed down to them by their forefathers. Of course, most of these tales were merely inventions or distorted dreams. But the prospector, with only his burro for companionship, was wont to dream strange dreams and, eventually, to transmute them into what he considered reality. On the deserts lie the bones of scores of men who believed

these tales and who staked their lives in the search for things which did not exist.

One of the best authenticated of these stories was of the lost "Soldier" mine. The story has had little embellishment and, in part, may be true. Briefly narrated, it is this: In the summer of 1869 Abner McKeever and family were ambushed by Apaches on a ranch near the Big Bend of the Gila. McKeever's daughter, Belle, was taken captive. A number of soldiers gave chase. The Apaches separated into several bands, whose trails were followed by small detachments of soldiers, the most westerly by Sergeant Crossthwaite and two privates, Joe Wormley and Eugene Flannigan. Two of their horses dropped of fatigue and thirst and their provisions ran out. Taking some of the horseflesh with them, they struck northerly, seeking water in what is supposed to have been the Granite Wash range of mountains in Northern Yuma County. Water was found just in time to save their lives, for Wormley already had become delirious. In the morning they found the spring fairly paved with gold nuggets. Above it were two quartz veins, one narrow and the other sixteen feet wide. The soldiers dug out coarse gold by the aid of their knives. About fifty pounds of this golden quartz they loaded on the remaining horse and then set out for the Gila River. Less than a day's journey from the river, the three men separated, after the horse had dropped dead. Wormley reached the river, almost demented from his sufferings and unable to guide a party back into the desert. Men struck out on his trail and soon found Flannigan, who would have lasted only a few hours longer. He was able to tell the story of the gold find, and the rescuing party went farther to find Crossthwaite's body. In a pocket was a map, very roughly made and probably very inaccurate, on which he had attempted to show the position of the golden spring. Still better evidence was secured a few days later in the discovery of the dead horse, with the gold ore strapped to his back. The ore was all that Flannigan claimed and $1,800 was realized from its sale. Flannigan made several unsuccessful attempts to return to the find, but he dreaded the desert and never went very far from the river. He died in Phœnix in 1880. The district into which the party penetrated has been thoroughly prospected during the past twenty years and contains many mines of demonstrated richness. It is possible that the mountain was the Harqua Hala. The find might have been the later famous Bonanza, in a western extension of the mountain, from which several millions of dollars in free gold were extracted. Farther west, around Tyson's Wells, also has been found placer gold, though none of these discoveries seem to exactly fit the special conditions of the Lost Soldier mine.

Another lost "Soldier" mine was found by a scouting soldier from old Fort Grant in the hills north of the Gila River, not very far from the mouth of the San Pedro. His discovery was of quartz speckled with free gold. The country about has been thoroughly prospected since that time and mines of importance have been worked in that vicinity, but the nearest approach to the discovery of the old-time bonanza has been in the finding of placer gold in several of the gulches.

Most of the stories of lost mines had to them an Indian annex. Usually the story ran that the Indians would bring in gold and silver, but would refuse to tell the secret of their wealth. Ross Browne told in 1863 that at the store of

Hooper & Hunter in Arizona City he saw masses of pure gold as large as the palm of the hand, brought in by adventurers who stated that certain Indians had assured them that they knew places in the mountains where the surface of the ground was covered by the same kind of yellow stones. But neither threats nor presents, whiskey, knives, tobacco, blankets, all the Indians craved, could induce the savages to guide the white man to the fabulous regions of wealth. The explanation then was given that the Indians were afraid that the white men would come in such numbers that the Indian preponderance of population would be lost.

THE "NIGGER BEN" AND "LOST DUTCHMAN"

Most popular of lost mine stories in pioneer days was that of the "Nigger Ben." A. H. Peeples, one of the Weaver party, to which Ben also belonged, in 1891 told the editor what he knew of the legend.

> Nigger Ben—and he was a good man if his skin was black—was the only one of us who dared to prospect around very much alone. The Indians would not harm him, evidently on account of his color. He struck up a friendship with several Yavapai chiefs, even when they were the most hostile to the other miners, and they told him of a place where there was much gold, far more than on Rich Hill, where we were working. Ben took a nugget from our stock that was about the size of a man's thumb and showed it to a chief who was especially friendly with him. The Indian said he had seen much larger pieces of the same substance and started off to exhibit the treasure to him. Ben was taken to some water holes, about sixty-five miles northwest of Antelope, toward McCracken, in southern Mohave County. When there, however, the chief would show him no further, seemingly being struck by some religious compunctions he hadn't thought of before. All he could be induced to do was to toss his arms and say, "Plenty gold here; go hunt." Ben did hunt for years and I outfitted him myself several times and believe he finally died of thirst on the desert. Numbers of others have tried to find the Nigger Ben diggings, but they have not been discovered as yet. Ed Schieffelin, who discovered the Tombstone mines, wrote me several months ago, asking about them. I gave him all the information I had on the subject and he is now out with a large outfit thoroughly prospecting the whole of that region. I am confident the gold is there.

One variety of the "Lost Dutchman" story concerns the operations of a German who made his headquarters at Wickenburg, in the early seventies. He had a very irritating habit of disappearing from the camp once in a while, going by night, and taking with him several burros, whose feet would be so well wrapped that trailing was impossible. He would return at night, in equally as mysterious a manner, his burros loaded with gold ore of wonderful richness. Efforts at tracking him failed. The country for miles around was searched carefully to find the source of his wealth, which could not have been very far distant. The ore was not the same as that at Vulture. The location of the mine never became known to anyone, save its discoverer. He disappeared as usual one night, and never returned. The assumption that he was murdered by Apaches appears to have been sustained by a prospector's discovery near Vulture in the summer of 1895 of the barrel of an old muzzle-loading shotgun, and by it, a home-made mesquite gun stock. The gun had been there so long that even the hammer and trigger had rusted away. Near by was a human skeleton, bleached from long exposure. The next find was some small heaps of very rich gold rock, probably where sacks had decayed from around the ore, and then at a short distance was discovered a shallow prospect hole, sunk on a

gold-bearing ledge. The ore in the heaps was about the same character as that which had been brought into Wickenburg in the early days by the "Lost Dutchman," but it didn't agree at all with the ore in the shallow prospect hole, which was not considered worthy of further development.

In the winter of '79 some trouble was stirred up among confiding tenderfeet by the publication of a story in the Phœnix Herald, printed as a fake so plainly transparent that he who ran might have read. It told of the arrival of a prospector from the depths of the Superstitions, whence he had been driven by pigmy Indians, who had swarmed out of the cliff dwellings. His partner had been killed, and he had escaped only by a miracle. But the couple had discovered some wonderful gold diggings, from which an almost impossible quantity of dust had been accumulated by a couple of days work. The story was widely copied, and from eastern points so many inquiries came that the Herald editor had to have a little slip printed to be sent back in reply. On the slip was the word "fake." The editor feared to even remain silent, for most of the letters told of the organization in eastern villages of parties of heavily-armed men to get the gold dust or die in the attempt, and there might have been dire consequences on the head of the imaginative journalist had Phœnix been reached by even one of the desperate rural eastern expeditions.

MINER, THORNE AND ADAMS DIGGINGS

The largest exploring and prospecting expedition Arizona ever has known since the days of Coronado, originated on the tale of a prospector named Miner. He claimed that he was the only survivor of a party that had found wonderful placer diggings somewhere near a hat-shaped hill over beyond the Tonto Basin. From a single shovelful of earth had been panned seventeen ounces of gold. In May, 1871, he was in Prescott, coming with several companions from Nevada, and in that month reached Phœnix from the North with about thirty men. The point of rendezvous was near old Fort Grant, where were collected 267 men, divided into five companies. At the head of the Prescott party was Ed. Peck, discoverer of the famous Peck mine at Alexandria. Other members were, "Bob" Groom, the noted pioneer; Al Sieber, the foremost Indian campaign scout of the Southwest, Willard Rice and Dan O'Leary. Governor A. P. K. Safford commanded the recruits from Tucson and was elected commander-in-chief of the party at the camp near Grant. From Tucson and Sonora came two large companies of Mexicans. From Grant the march was to the Gila, up the San Carlos and thence to Salt River. There was found the hat-shaped mountain, since known by the name of Sombrero Butte, and the men prospected widely through the Tonto Creek and Cherry Creek valleys, and over the Sierra Anchas. Returning down Cherry Creek, the prospecting was continued up the Pinto Creek and Pinal Creek valleys. Finally in disgust the different parties separated at Wheatfields and returned to their homes. Miner, at the time, was thought to have been mistaken in his bearings, but members of the party later became convinced that he was merely a liar.

Possibly connected with the Miner tale that led Safford and his party very far afield, was the lost Thorne mine. This story was based on the adventures of a young surgeon named Thorne, who, having cured the eye troubles of a couple of Apaches at a post whereat he was stationed, was induced to visit the

Indian village where there was an epidemic of the same disorder. He was blindfolded, a procedure that usually obtained in stories of this sort, and eventually reached the village, not knowing its direction. After he had conquered the epidemic, he was placed upon a horse and taken to a deep rock-walled cañon facing a high ledge of quartz that glittered with flecks of gold. Below, in the sand of the wash, was almost a pavement of gold nuggets. Thorne pretended that the find was of little value, but furtively took all the bearings he could. In the distance he saw a high mountain, crowned with a peculiar rocky formation like a gigantic thumb turned backward (a description that might fit Sombrero Butte) to the eastward of the Cherry Creek Valley. Though the Indians pressed handfuls of the nuggets upon him, Thorne still persisted in his pose that the stuff was worthless and refused to take any, convinced that he could again find the treasure. He led two expeditions into the country, but found no less than four such formations such as he had marked, and the bonanza never was discovered, and Thorne afterwards was denounced as an impostor. It is a fact, however, that the Cibicu Indians of the Cherry Creek Valley knew of the existence of some rich placer field. On one occasion, Alchisay is known to have pawned a nugget worth $500 for $10 worth of supplies, and later to have redeemed the gold, of which he seemed to know the full value.

In the desert somewhere west of Yuma, many expeditions have searched for the lost "Peg-Leg" mine, said to have been discovered by a one-legged individual named Smith, about forty years ago. Some there were who thought the mine in Arizona, but whatever its location, it has never been found, and may have been only in the imagination of a rum-soaked prospector.

Prominent among the "lost mines" stories of Northern Arizona was that of the "Adams Diggings." Most indefinite are the details, and the various locations indicated lie anywhere from the Colorado River through to Globe. Adams, understood to have been a San Bernardino colony Mormon, in 1886 heard from a Mexican a story of a rich gold deposit, and forming a party of twenty-two, struck eastward to a point supposed to have been near Fort Apache, where the "Diggings" were found. The story continues that after working for a while, eleven of the party started for the Pima villages for supplies. They failed to return and nine more, driven by impending hunger, took the same trail, leaving in camp only Adams and two others. The three, finally driven out by famine, started out and found on their trail, the bodies of all their comrades, who had been murdered by Apaches. The trio appear to have succeeded in returning safely to San Bernardino and, in 1875, to have started, as members of a party of twelve, to return to the lost bonanza. Jas. C. Bell, later of Globe, with two companions joined this party near Prescott and were made members, while four more joined at Fort Verde. The lapse of time had made Adams very uncertain in his location, but he remembered that it was in a deep cañon running in an easterly direction, at a point where a gold ledge was sharply defined on the sides of the gulch, and near two black buttes. Search was made down as far as the Gila, near San Carlos and thence up to the headwaters of the Gila and back again to Fort Apache, but there was no success, and still undiscovered are the ashes of an old cabin wherein Adams told Bell, was buried gold dust worth at least $5,000.

MINING THE INVESTOR, NOT THE MINE

However rich Arizona mines have been, there is a suspicion that, before the days of copper, their net proceeds would hardly equal the amount of money furnished by ignorant investors toward the development of prospects that have never amounted to anything. Still worse, many of these enterprises have been most unblushing frauds, the money stolen from the unwary after advertising campaigns that claimed enormous riches for the mine that happened to serve as bait, used by schemers, who found their victims in the eastern states of the Union. Today such work would hardly be done, for the United States authorities keep close watch upon any extravagant advertising, and make investigation as to the basis of the claim. One of the frauds in 1899 grew to such large proportions that Gov. N. O. Murphy considered it his duty to issue a formal letter of warning, addressed to outside investors in Arizona mines. This letter brought down a storm of protest, and Murphy was accused of a jealous desire to ruin Arizona mining. Within a few months, however, it was demonstrated that his action had been dictated by a true sense of local patriotism. The particular swindle to which he referred was the Spenazuma mining project, developed by "Doc" Flowers, who already had made an enormous fortune in the sale of proprietary medicines. The Spenazuma, which was exploited as the greatest mine in the world, was in Graham County and was a very ordinary mine indeed. Ore samples that were sent east and that were piled on the mine dump for the inspection of committees of stockholders were brought from other mines of far greater value in the Black Rock district.

The exposé came through a newspaper man, Geo. H. Smalley of Tucson, who furnished Governor Murphy with the information that led to the publicity given. But Flowers sold stock, at advanced prices, even after his methods had been shown up in eastern journals. Flowers could not buy Smalley off and soon thereafter had to quit operations in the Southwest.

One amusing feature of Flowers' operations on the Spenazuma was a fake stage hold-up, thoughtfully provided for the benefit of a number of prospective investors. He hired a number of cowboys to hold up the caravan of coaches, but the defenders succeeded in driving off the bandits, who, later, however, couldn't keep from joyously narrating the features of their employment. Flowers was a man of true Wallingford stripe and found opportunity for making money on every corner. In 1890, while under indictment on a charge of selling fraudulent stock, and while under bond for $50,000, he floated in Philadelphia a company for the promotion of a method of making gold. He was arrested on several charges of grand larceny, but he succeeded in escaping to Canada. Slow-footed justice at last came to him, as late as December of 1914. After extradition from Canada, he went to trial at an eastern point, and at the age of 70 years was sentenced to two years in the penitentiary. If he had stolen a pig his sentence would, probably, have been at least five years.

In 1892 Dr. H. H. Warner of Rochester, New York, an individual famed for his observatory, his bitters and his pills, bought of John Lawler and Judge Ed Wells the Hillside group of mines in southwestern Yavapai County, paying $50,000 cash on the price of $450,000. The property then was stocked under the name of the Seven Stars Gold Mining Company. Ordinary stock was sold at $1 a share, but beyond this was issued a block of 100,000 shares at $5, on which

Warner, then believed worth millions, personally guaranteed annual dividends at 13 per cent. Warner failed soon afterward and the bubble burst and the mine, with much added development, went back to the sellers, despite the protests of the stockholders.

In clearing up the affairs of the George A. Treadwell Mining Company, which had a weird sort of reduction plant near Humboldt, it was claimed by stockholders that the promoters of the company on stock sales aggregating about $1,000,000 had cleared up a "profit" of $500,000, while not more than $100,000 had been spent on the property. One of the promoters, a New York lawyer, was said to have been paid counsel's fees of $36,000.

One Eastern firm of brokers secured bonds or options on a number of Yavapai County mines, of the "has-been" class, of former leaders in the silver production of Arizona. These old mine workings were cleaned out to an extent, and some of the cleverest of advertising, mainly beautifully printed circulars and letters, was sent broadcast, inviting investment, while plans of the most gorgeous description were announced of reduction works that would make rich the miners of the entire country. But little was done after the stock-selling campaigns. With a stock seller it mattered little whether his mine had any worth or not. He never did more mining than was necessary to make a showing for his campaign. This condition, however, never has been peculiar to Arizona. Such schemes were worked much more generally, and with even greater success to the promoters, during the days of mining activity in Alaska and Nevada.

One individual who had a mine near Prescott issued a unique prospectus full of quotations from the Bible and of glittering generalities concerning the wealth that was to be secured in the marvelous mine exploited, which later seems to have dropped from the public eye. Within the prospectus appears the following gem:

> Come, little brother, and sit on my knee,
> And both of us wealthy will grow, you see;
> If you will invest your dollars with me,
> I will show you where money grows on the tree.

One early-day promoter issued a prospectus wherein was set forth, "experts agree that sheet gold will be struck at no great depth." A three-foot vein usually was enlarged to a 100-foot dyke and few of these writers permitted their ore to run less than $100 to the ton. Some of them, even far down in Sonora, were declared on the same mineral belt as the United Verde and dime-novel tales usually were recited concerning the discovery of these wondrous bonanzas.

Early in 1899 there was excitement along the Grand Cañon, where had been staked out a large area of the lime-carbonate capping of the region as valuable for platinum. The bubble was punctured by Prof. W. P. Blake, director of mines of the Territorial University, who after careful assays reported that the "ore" sent him was a carbonate, containing only silica, calcium, magnesia, iron and a little alumina. Not a trace of platinum could be found, though similar rock elsewhere submitted was reported to have returned values of $300 a ton in platinum. While deploring the influence of his report upon the prospectors who thought they had found wealth, he said, "the people of Arizona generally

do not propose to profit by ignorance, pretense or misrepresentation." It is probable that the excitement all started through efforts made to assure trail holdings down into Cataract Cañon.

Another notable swindle was that of the Two Queens and Mansfield Mining companies. The former had several prospects, near Winkelman, about 100 miles southeast of Phœnix. The latter had a mine in the Patagonia district of Santa Cruz County. The Post Office department secured the arrest of several Kansas City (Missouri) stock brokers, who had been selling shares in the two companies, by means of extravagant full-page advertising. As is usual in such cases, strong defense was made on the basis of testimony taken in Arizona, but the defendants finally were convicted and were sent to jail in May, 1909, though, as usual in such cases, they received relatively light sentences.

Another typical instance concerned a temporary resident of Wickenburg, Arizona, who had bought a mining claim a few miles from that town. He sold at least $100,000 worth of stock in several villages along the Hudson, near West Point, and, in order to show his good faith, brought out a Pullman carload of selected stockholders to view the wonderful mine from which he was to make them fortunes. The mine was viewed, he being the only witness testifying concerning its richness, more stock was subscribed on the spot and the party went rolling eastward convinced. The following day, Sheriff Hayden of Maricopa County appeared on the same ground with an attorney and formally sold, under a judgment of debt, all the property owned by the promoter or his company in that vicinity. Hayden ever since has been filled with regret that he permitted the attorney to delay him one day on the sale, or he would have been on the ground at the same time as the investors' party.

THE GREAT DIAMOND SWINDLE

A company with a capital of $10,000,000 was organized in San Francisco in 1872 for the exploitation of a diamond field somewhere north of Fort Defiance in Northeastern Arizona. The reputed discoveries of the field were a couple, Arnold and Slack, who exhibited in New York and San Francisco some magnificent rough diamonds and some very good rubies. The San Francisco company included a number of the wealthiest men of the city, of large experience in a mining way. They sent out some agents who returned with more diamonds, picked up from the surface of the ground. Just the location of the find was disputed, however, for it was told that locations made north of Fort Defiance were merely for the purpose of diverting attention, when in reality the field whence the diamonds came was south of the Moqui villages. The whole scheme was a fraud on a gigantic scale. It was uncovered by Clarence King, the noted western geologist, who first demonstrated that the diamonds were not of the same character, bearing characteristics both of the South African and Brazilian fields. King visited the Arizona field and confirmed his own belief that it had been salted with stones brought from abroad. It is probable that the two "discoverers" were merely tools of much more wealthy men, who expected not only to get back the gems that had been "planted," but to sell stock to the unwary small investor. There was another fake diamond "discovery" down on the Gila, not far from Yuma, but this was on a much smaller scale and excitement died even more quickly.

A BASKET SOON EMPTIED

One of the few ephemeral boom camps of Arizona was Quijotoa, sixty-five miles west of Tucson, by the side of a mountain shaped like a basket, the name coming from the Papago word, "kiho," meaning basket. The first locations were made early in 1879 at the bottom of the hill, renamed Ben Nevis by the Scottish Alexander McKay, one of the pioneers. May 11, 1883, Chas. Horn or McKay discovered rich croppings at the summit of the hill and then the excitement began. It was claimed that five tons of the ore gave a return of $2,500 at the Benson smelter. Tunnels were started into the hillside to cut the ledge at depth, but failed, for there was no ledge. In the language of a San Francisco mining man, the deposit was "merely a scab on top of the mountain." McKay did give a bond on the property to the Flood-Fair-Mackey-O'Brien syndicate of San Francisco at a price of $450,000, but the option was not taken up at maturity. A half-dozen companies were formed in San Francisco, each with ten million dollars capitalization, for the working of the Quijotoa mines, and the news went broadcast that in Arizona had been found another Comstock. As a result, thousands of men flocked in, despite warnings that the mines were only in the development stage. Around the original Logan townsite were four or five additions. In January, 1884, at Quijotoa, were only a couple of tents, ten miles from water. Two months later, several thousand people had come and there were many marks of a permanent town, including a weekly newspaper, "The Prospector," published by Harry Brook. The time the boom broke is indicated best by the fact that the printing office was moved to Tucson in the fall of 1884. Soon thereafter, J. G. Hilzinger of Tucson bought the mines, a mill that had been moved over from Harshaw, and all the other property of the principal corporation for $3,000.

CHAPTER XXXIII

MINES, PIONEER AND MODERN

Mohave was First in the North—The Old Vulture—Romance of the Silver King—Ed. Schieffelin and the Discovery of Tombstone—Riches of the United Verde—Desert Bonanzas—How the Vekol Was Found.

Following the line of least resistance, much prospecting was done in the late '50s northward from Yuma along the Colorado. Placers were worked only fifteen miles above the Gila at the Potholes, about where the present Laguna dam has been placed. The old town of La Paz owed its existence to placer mining in the gulches to the eastward. Forty miles above Fort Yuma, in 1858, a prospector named Halstead discovered the Colorado River copper mine, claimed as very rich, though it failed to stand the test of time. Several tons of ore were shipped to San Francisco, and the property was bought from Halstead by Wilcox, Johnson & Hartshorn, who owned a steamer plying on the Colorado, and with whom were associated Hooper, a Fort Yuma merchant, and Lieutenant Mowry.

Twelve miles east of the Colorado and a short distance from Bill Williams Fork lies the Planet, one of the oldest copper mines of Arizona and one that still shows signs of activity. It was worked as early as 1863 by a San Francisco company, which for a while operated two small furnaces on oxide and carbonate ores and which proposed shipment of ore by sailing vessels from the Colorado's mouth to Swansea, at a cost estimated at $25 a ton, for ore that averaged $300 a ton. Heavy ore shipments were made to San Francisco. The Springfield company also operated a copper furnace about the same time on ore from the Orion mine.

In 1856 Lieutenant Humphries reported he had found gold, silver, copper and lead in the country east of the Colorado on the northern road.

Judge Jas. M. Sanford, with John Brown of San Bernardino, built the first ferry at the Mojave crossing of the Colorado in 1861, and in the fall of the following year left the river with twelve men to hunt for gold diggings heard of to the westward. Only four of the expedition are said to have returned. Sanford spent his last days at Williams.

The Mojave Mountains again were explored in the summer of 1863 by a party headed by Chas. W. Strong, representing New York capital. The same region was visited and discussed scientifically the following summer by B. Silliman. The San Francisco District of Mojave County is one of the oldest in Northern Arizona and early in the '60s small mills had been erected at Hardyville for handling gold ores. Early established was the Wauba-Yuma mining

district, twenty miles east of Hardyville. The name given was that of an Indian chief. Howard Coit, later for years caller of the San Francisco Stock Exchange, was recorder of Wauba-Yuma District and owned one of the very few claims that have endured.

EARLY-DAY MOJAVE MINING DISTRICTS

The miners of Northwestern Arizona in the early sixties were soldiers from Camp Mojave, off on brief furlough, or discharged soldiers of the California Column. That they were men of education and of mining experience is shown by the records they kept, still available, stored in the neat recorder's office at Kingman. The official pioneer records at Kingman probably are the best preserved in all the state.

As early as January 1, 1863, there had been a meeting of miners of Colorado district, held in the San Juan Company's office at El Dorado Cañon. The district was organized at a meeting January 8. William Caley was elected president and reference made to the election of a Mr. Lewis as recorder, to fill an unexpired term that began June 1, 1862, showing prior action along the same line. There had been 661 locations in this district by the end of 1863.

November 13, 1863, there was a meeting of miners at Soldiers' Springs, whereat George Okey was elected chairman and John Comerford, secretary, and there was formed San Francisco Mining District, running twenty-five miles along the Colorado and fifty miles to the eastward. Each locator was granted a claim 200 feet long and 150 feet on each side of the lode. It was ordered that the books of the district be kept at Fort Mojave or at Silver Creek, "the position of the district being in an Indian country and away from protection." Robt. A. Rose was elected the first recorder. On the last day of the same year, Rose was succeeded by W. Walter. Within the district the first claim record was the Nevada Lode, November 23, 1863, the locators John Comerford, George Okey, W. S. Pearson and Robt. A. Rose. A number of locations were made along this same Nevada lode, by the Union, Lincoln, Todd, Hancock, Stanley and other companies, some of the appended names being R. C. Drum, DeWitt Titus, D. J. Williamson, John Stark, W. E. Strong, J. I. Fitch, R. P. Nason, Charles Atchison, John Murray, D. W. Ridley. Sixty claims had been placed of record by the close of the year. The first deed was from W. B. Jeffries to M. G. Moore and A. E. Davis, both parties resident at Fort Mojave, conveying for the sum of $95 the Union original location.

Now included within the Oatman District is the old Moss mine, located by John Moss in 1863 and now under bond to the United States Smelting and Refining Company. The surface ores were very rich. Two tons taken out in 1865 returned the owners $185,000. In latter days golden riches have been uncovered in the Tom Reed and Gold Roads mines. The croppings of the latter in the River Range Pass were crossed by the main road that ran westward to Fort Mojave and Hardyville, but it was not till years afterward that the mine was located by José Jerez, a Mexican prospector, "grub-staked" by Henry Lovin of Kingman. They sold for $50,000, but the mine thereafter has produced annually not less than ten times its cost.

Some time before 1874 there were two small smelting furnaces at Chloride, in that year one of them already being reported in ruins. Lode mining at

EARLY PLACER WORKINGS NEAR PRESCOTT

POLAND TUNNEL, NEAR PRESCOTT
Eight thousand feet in length

Chloride Flat was started as early as 1864 on claims at Silver Hill, but it is told that the first miners, three in number, were killed by Haulpais, one murdered at the windlass and the two others stoned to death in the shaft. Other miners in the same locality were killed or driven off and for a few years mining in Mohave County was considered a rather unhealthful occupation. One of the smelters at Chloride was the Baker furnace, placed close to the Schuylkill claims. The mines around Cerbat were worked as early as 1863, at date that gave the name to the Sixty-three mine, two miles northwest of the camp. In 1857 the first effective quartz mill in the county was built by Davis & Randall, near Hackberry, on a mine that had been discovered in October, 1874, by William Ridenour, S. Crozier and two others. They had been prospecting in the Grand Cañon and, after attack by the Indians and losing all but their lives, managed to reach Mineral Park, thereafter to discover the Hackberry claim, one of the richest of the early mines. Another little mill was started at Mineral Park on Washington's Birthday in 1876.

In Southern Mohave County the McCracken mines, six miles north of Bill Williams Fork, was discovered by Jackson McCracken, August 17, 1874. The product of the mine for a while ran as high as $200,000 a month, mainly from a stringer of high-grade lead carbonate, found within a vein over eighty feet in width. The ores at first treated averaged about $75 a ton in silver and 20 per cent lead, but the lead percentage increased and the silver decreased, till, about 1881, operations at the camp were practically at a standstill and the nearby mill town of Signal had passed the period of its brief glory.

By 1880 Mohave County had become a large producer of silver, from a score of camps, and had secured rank as one of the richest mining sections of the Southwest. A few years later, though favored by railroad construction, there came a time of stagnation that lasted till only a few years ago. Now silver is in the background and gold and zinc give much larger returns. Chloride and Oatman have assumed large prominence in the mining world.

During the past year the Oatman camp, within which are included some of the oldest Northern Arizona mines, has been having a boom that seems to approximate that known by Tombstone or the later Nevada camps. Thousands have come to join in expected riches from gold that already has been found at the depth of about 300 feet, in greenish and unattractive quartz that lies beside great diorite dykes that thrust their heads through the country for miles. Great deposits of high-grade ore have been cut in several mines. While the gold is very fine and light, it is cheaply and thoroughly extracted by means of cyanide.

Near Mineral Park are turquoise deposits from which since 1904 valuable shipments of the gem material have been made to New York. About a dozen mines have been worked, the greatest production from one owned by the Tiffanys. Some of the gem rock is of deep blue color and has value up to $6 a carat. The deposits were worked by the ancient people of Arizona, whose stone cutting tools are found scattered around the locality.

CARLETON'S APPRECIATION OF ARIZONA'S WEALTH

The large value of the mineral discoveries of the Walker party had prompt appreciation in the mind of Gen. Jas. H. Carleton, commanding the military department of New Mexico, whose letters on the subject the author has been

happy in finding. One private communication, to Gen. H. W. Halleck, then in command of the army, told, under date of June 14, 1863, of the receipt in Santa Fé of two letters, by Chief Justice Benedict "from a kinsman who is a member of a prospecting party which left the Rio Grande under the leadership of old Captain Walker of Rocky Mountain and California celebrity." The general tells that he has seen gold that had been sent to Judge Benedict, that it was coarse and of the first quality. Carleton suggested immediate action by the military arm and an expedition over the Whipple road of two companies of California volunteers, for which he would employ Walker as guide, and the establishment of a post for the protection of the miners. He advised also the mapping of the region.

Carleton on June 22 wrote Walker himself, telling that Surveyor-General Clark of New Mexico soon would visit the new gold fields and asking that the old scout return with Clark to Albuquerque to serve as guide for the troops that would be sent to found a permanent post. The letter was very cordial in tone and offered all good wishes and substantial support, assuring Walker that he and his party deserved substantial success and large reward for the toil, hardships and danger that had been encountered.

On the same date in June the general ordered Captain N. J. Pishon of the First California Cavalry from Fort Craig with his command to serve as escort for the surveyor-general. The captain was directed to take a supply of gold-washing implements and to have his men wash the gulches on arrival, to accurately determine the richness of the sands. On the report returned would depend the permanent occupation of the section, though Carleton prophesied that Pishon's report would excite a veritable revolution.

The surveyor-general bore the letter to Walker, and himself received a very readable communication from the general, who gave him good advice concerning the dangers and difficulties of his trip. To him Carleton commended none other than our old pioneer friend Bob Groom, "who last fall came from the new gold diggings on the Colorado River, ascending Williams Fork to the San Francisco Mountains and thence in by Zuñi to Fort Wingate and Albuquerque. Groom was commended as a guide or packer, anxious to return to the gold field he had passed, and as a gentlemanly and intelligent man, in destitute circumstances, but worthy of consideration, kindness, confidence and help.

Though the surveyor-general's stay at the gold fields was short, it was not till the middle of September that he returned to Santa Fé, reporting that the country visited was rich in gold, silver, cinnabar and copper, even compared with California. General Carleton had issued instructions for the prospecting of all his department, something that would have been done in any case, for most of his soldiers were old California miners. On the Prieta affluent to the Gila gold had been found that washed 40 cents to the pan, as well as argentiferous galena worth a dollar a pound. Rich copper, abounding in gold, "in quantity enough to supply the world," had been found near the head of the Gila. Especially interesting was a reference, found in a letter written by the general to Secretary Salmon P. Chase of the treasury department, accompanied by two specimens of pure gold from the top of Antelope Mountain, a discovery that had been referred to by Mr. Clark. These specimens had been sent to the general, he wrote, "by Mr. Swilling, discoverer of the new gold fields near

the San Francisco Mountains. If it be not improper, please give the larger piece of the gold to Mr. Lincoln. It will gratify him to know that Providence is blessing our country, though it chasteneth." The general sagely added: "Now, would it not be wise for Congress to take early action in legislating for such a region, to open roads, to give force to subjugate the Indians, to give mail facilities, to claim rights of seigniorage in the precious metals, which will help us pay our debts, etc.?" All of which shows that General Carleton was one of the earliest of Arizona boosters.

Conner of the Walker party tells that the surveyor-general's party left five large wagons behind near the site of Prescott, to be used later, with some of the Walker mules attached, in transporting goods from California.

The advent of the new territorial government gave stimulus to immigration and it is told that in 1865 at least 3,000 placer miners, favored by a wet season, were washing the sands of the gulches around Prescott. Within the mining population was a large admixture of Californians, accustomed to doing things in an orderly manner, so as early as December 27, 1863, a meeting was held at Goodwin City, a mile south of the site of Prescott, for the organization of a mining district.

RICH MINES OF CENTRAL ARIZONA

Another record found tells that the Walker party struck Groom Creek May 7, 1863, and therefrom spread into all the likely-looking gulches roundabout. In June they found diggings on Lynx Creek, where Sam C. Miller killed a lynx and George Colter got $350 from the washing of a single pan. In October of the same year, the Lount party of thirteen from California made camp in Miller Valley. It is claimed that this party made the first location under American laws of any lode mine north of the Gila. It was on Lynx Creek, called the "Pride of Arizona," and the notice was recorded December 27, 1863. Charlie Genung claims that the first lode mine located in the Yavapai hills was the Montgomery, staked out by a party of which he was a member late in 1863. The fame of the gold diggings had spread, for the Walker party and others of the first comers were more than anxious for a larger settlement, in order to secure better protection against the Apaches. In November, twenty-four miners, including Ed Peck, arrived from New Mexico and joined the Miller Valley colony.

While some of the creek beds of Yavapai County are washed for gold to this day, the era of placering soon was succeeded by that of silver lode mining, that in turn by gold mining and it again, by the development of the copper industry. By 1875 on the Hassayampa, twenty-five miles south of Prescott, had been installed a 30-ton smelting furnace, to work the silver-lead ores of the Crescent and other mines of the locality. Over in the Bradshaws had been found the Tiger, Del Pasco, War Eagle, Peck, Black Warrior, Tuscumbia and Silver Prince. Possibly best known of all of these was the Peck, which had a five-foot body of silver chloride within which a pay streak seemed about one-half silver. The ores were reduced at a pioneer quartz mill at Aztlan, six miles south of Prescott. The Peck was discovered in 1875 by Ed C. Peck, C. C. Bean, William Cole and T. M. Alexander. Peck found the first heavy silver float as he was stooping to drink from a spring. In 1877 the property was

capitalized in San Francisco. Then there was litigation and, though over $1,000,000 is said to have been taken from the mine in its first few years, little has been realized from it since.

One of the early properties was the Senator, on the upper Hassayampa, which had a ten stamp mill early in the seventies. Rice and the Elliott brothers discovered the Accidental in 1864 near Lynx Creek. The well-known Poland, named after one of its discoverers, is of pioneer rating, as is the Silver Belt, near Big Bug, from which lead-silver ores were worked in a furnace on the Agua Fria. Still further to the northward Charles Spencer, Dan O'Leary and other daring prospectors made their way into the cañons of the Colorado and down into the mysterious gorge of Cataract Creek, where they found horizontal veins of silver ore of great richness, but in spots almost inaccessible on the sides of the cliffs.

Jack Swilling, Bob Groom, Ed Peck, Jack Moore and a number of other noted pioneer Arizonans, were busy in the hills of Yavapai County in this period, defying the Indians, but leaving behind little more than a history of their deeds. The Tip Top probably was the leading mine of the Bradshaws during the late seventies and its stock was listed on the San Francisco board.

WICKENBURG AND HIS VULTURE MINE

The famous Vulture mine, in desert hills eleven miles from the railroad town of Wickenburg, has had broad renown as the greatest producer of gold ever known in the Southwest and tales of its output run up to $10,000,000. It was (and is) a great mine, but hardly to the extent quoted. It was discovered late in 1863 by Henry Wickenburg, who had been a member of the Weaver party. The mine at first was a pile of almost loose rock, with gold visible to the naked eye anywhere across a thirty-foot ledge. It is told that miners became wealthy by simply bringing away pockets or lunch cans full of gold quartz that at times carried a volume of more than half of the precious metal. Apaches swarmed in the vicinity and many travelers were killed between the waterless mine and the river. More than forty arastras at one time were being operated on the river on ore from the Vulture. Charlie Genung happened along in July, 1864, in time to help Wickenburg build his first arastra, the first clean-up realizing $100 from a ton of ore. The arastras in general were operated by contractors, who paid Wickenburg $15 a ton for ore at the mine, the buyer doing his own mining and packing and generally making by his deal. In 1865 the arastras had been succeeded by two small mills at the Town of Wickenburg, said to have been so named by Governor Goodwin. One of these mills was built by Michael Goldwater, who took a mortgage on the first product to secure his pay. He ran the mill a month, realizing $3,000 a day and then turned it over; the bonanza ore was gone and the ledge matter had dropped in value to $30 a ton. In the spring of 1866 the main claim was bought for $75,000 by B. Phelps of New York, a miner of prior experience at the Picacho, near La Paz, and in the Heintzelman and Cababi camps. Thereafter a twenty-stamp mill was built at Wickenburg. The gross gold product for about a year, to September, 1867, was only $45,633.

AGUA FRIA SMELTER, ABOUT 1877

AZTLAN MILL, GROOM CREEK, NEAR PRESCOTT, 1877

the Verde. This mine later was owned by the Verde Queen Company, which found little profit in the operation of a small smelting furnace. This mine and good looking croppings nearby, about where Jerome now stands, were visited the same year by George W. Hull, who, years later, was pleased to own extension on the ground he had passed over. Two claims on these croppings were located in 1877 by John Dougherty and Capt. J. D. Boyd and there was organized the Verde Mining District, with G. V. Kell as recorder. The next year three adjoining claims were located by M. A. Ruffner, who, with Rod McKinnon, did much work on the Eureka and Sleeping Beauty mines. In 1882 the mines were examined by F. F. Thomas, who had been told in Prescott, by Angus McKinnon, that he and his brother had a fine copper mine in the Black Hills, about twenty-five miles distant. This was the Wade Hampton, where Angus and John McKinnon had sunk a forty-five foot shaft and a short drift. The prospect looked good and so an agreement was made to pay McKinnon $500 cash and $15,000 December 1. Thomas employed the McKinnons, who seemed to be afraid to sink for fear of knocking the bottom out of their mine and spoiling a good prospect. Thomas foreseeing the prospect of a big mine by consolidation of several claim, thereafter bonded the adjoining Eureka mines from Charles Lennig of Philadelphia, the Hermit claim from Ruffner and the McKinnons, the Azure and Adventure Chromes from Judge Riley of Nevada and his nephews, in all getting possession of eleven claims, as well as title to a spring in Walnut Gulch. Nearly all had good copper croppings, but some showed only iron, zinc and lead sulphide, with low assays in silver and gold. In the same year George A. Treadwell, later noted as a mining expert, was taken to see the property and became enthusiastic over it, later acquiring an interest in the ground. Securing the necessary money for making the bond payments was not easy, and the month of December was spent by Thomas in chasing around eastern financial centers and trying to interest capital. The McKinnon bond had been extended to January 1, by which date Thomas had telegraphed $7,500 to the McKinnons. The incorporation of the United Verde Copper Company was effected in 1883, with James A. McDonald, president, and Eugene Jerome as secretary and treasurer, with Thomas superintendent and general manager, authorized to install reduction works, build a road and operate the property. Thomas left New York March 23, 1883, and soon thereafter started the first fifty-ton furnace, which made a phenomenal run on oxidized ores, high with silver. Thomas had already surveyed the townsite, which he named after the company's secretary.

While the mine was wonderfully rich, reduction processes of that day had not developed to the point wherein its ores could be handled profitably. Within a year the company had paid $62,000 in dividends out of a total production of $779,000 worth of copper. This came mainly in the form of a 60-per cent matte, in which was considerable gold. Transportation was even as much trouble as the refractory ores and so, late in November, 1884, when copper had dropped to about seven cents a pound, and when snow covered the Black Hills divide, over which the hauling had to be done to Ash Fork, the mine was closed down. In the summer of 1887, Governor Tritle secured a bond and lease on the property from the United Verde Company, but soon found the same distressing conditions bearing down on him that had confronted the previous management.

According to G. W. Hull, locator of adjacent property, "the men at the mine not being paid their wages, took possession and threatened to destroy the plant." Some sort of settlement was made, and then the mine was on the market. Prof. James Douglas examined the property, but considered it too remote from transportation. Following him came W. A. Clark of Montana, accompanied by John L. Thompson and J. L. Giroux. In February, 1888, Clark leased the property, and in January, 1889, after Giroux had made full investigation and a number of smelter runs had been made, Clark purchased control of the company.

A narrow-gauge railroad was completed in November, 1894, over the hills and down a tortuous valley. About the same time, fire started in a sulphide slope and even today there is trouble from this source. In October, 1900, was a serious cave-in that dropped a large part of the reduction works and railroad grade about five feet. In the early Clark days, a tunnel struck an immense body of water.

Clark's capital and the skill of his managers soon put the mine on a paying basis. It was appreciated, however, that the reduction works and slag dump should not be on top of the mine, so plans were made for a new reduction plant in the valley, where the Town of Clarkdale now is in being, supported by the operation of a smelter that alone has cost $3,000,000, with a broad-gauge railroad connecting with the Santa Fé system, and with a wonderful railroad leading into the mountain on the mine's 1,000-foot level. The old smelter above Jerome was abandoned in September, 1915.

MINES OF THE DESERT REGION

One of the best known of what have been called the desert mines of Arizona was the Harqua Hala in Northeastern Yuma County, a bonanza of relatively late date. It brought its original owner $75,000, and later was sold to an English corporation by Hubbard & Bowers for $1,350,000. Three times it had been reported worked out, but two of these times almost accidental prospecting uncovered great lenses of ore running high in gold.

Within the plains of southern and central Yuma County have been found many rich gold mines, from the cement placer deposit near Quartzsite down to almost the Mexican line. Some of these, such as the King of Arizona and the North Star, produced phenomenally for a while, but failed to retain value with depth. One of the richest and most enduring of these desert gold mines was the Fortuna, from which millions of dollars were taken up to early in 1903, when the shaft was destroyed by a slip that caved in the lower levels.

In the northern part of Yuma County large expenditures were made about 1910 by the Clara Consolidated Copper Company, a corporation mainly capitalized in Los Angeles, which built a smelter and railroad before it had developed its ore body. The usual result followed and the smelter has been idle save for a few months, and the company has passed through bankruptcy.

One of the best known of the pioneer mines was the Gunsight, in Myers district, twenty miles north of the Mexican border, in south-central Pima County, discovered in November, 1878. Early shipments of ore were made with returns net at the rate of $1,200 a ton. The name itself was significant of riches, for from the croppings one of the discoverers whittled himself a pure silver gunsight, to replace one that had been lost. The ore was heavy in lead.

A forty-two mile railroad has just been completed to connect Gila Bend with the old Ajo camp, Arizona's first copper producer. The mines now are held by a company subsidiary to the Calumet and Arizona, and more than $5,000,000 has been spent in preparations for working the great deposits that are said to average not over 2 per cent in copper. Yet, through the perfection of modern mining processes, even this small saving of forty pounds of metal to a ton of ore is expected to bring in large profits. At Ajo has been developed a reduction process believed to be worth many millions to Arizona copper miners. Success has attended experiments in treating the surface carbonate ores, which heretofore have been considered beyond economical reduction when carrying less than 5 per cent copper. Now it has been demonstrated possible to concentrate carbonates which were thought before only suitable for smelting.

In February, 1908, at Sasco (Southern Arizona Smelting Company) was started the smelter of the Imperial Copper Company, a company subsidiary to the Development Company of America. The ore came from the well-known pioneer Old Boot mine at Silver Bell. The furnaces were closed down in 1910, owing to the inability of the company to find profit in the handling of the ore which seems to have been too low grade for reduction by smelting process. Immediately two fair-sized towns were deserted.

THE FAMOUS SILVER KING

One of the greatest silver mines in the world, undoubtedly the greatest mine of its class within Arizona, was the Silver King, located at the camp of the same name, beneath the western buttresses of the Pinal range, in the northern part of Pinal County. To this day chloriders are finding ore in extensions of the outer workings, at no great depth from the surface, but the old mine itself, with its chimney-like formation, worked to a depth of 1,000 feet, is more than half filled with water and is dangerous at any point.

In the days of its activity it disbursed about $1,500,000 in dividends, and was one of the few Arizona stocks regularly quoted on the San Francisco Stock Exchange. Its mill was at Pinal, five miles from the mine, a camp better known to old timers as "Picket Post," for the most prominent feature of its landscape was Picket Post Butte, one of the signal stations of the Apaches, from which they could sight the passing of enemies for many miles around.

To this camp, in 1876, came Harry Brook, a professional newspaper man, who, for awhile, tried to find fortune in the editing there of a weekly newspaper, The Pinal Drill; but "The Drill" left pay-rock behind long ago, and the towns of Pinal and Silver King are mere heaps of crumbling adobes. Probably the best historian of the Silver King is Brook himself and the liberty, therefore, is taken of quoting from his writings on the subject:

> Great chunks of absolutely pure virgin silver were dug out of the Silver King. The superintendent, Aaron Mason, would sometimes drive down from the mine to the mill with a string of wire silver several feet long twisted around his sombrero. They sent native silver to the mint and had it made into silver dollars, which were given away as souvenirs. We have heard much, of late, in regard to "high grading"—in plain English, stealing—of rich gold ore in Nevada. Well, at the Silver King the stealing of silver ore was a common thing, and several "fences" were prosecuted and sent to jail. Men on the big ore teams would throw off chunks of rich ore, which were picked up by confederates. It was said that the dust of the five-mile stretch between the mine and the mill would average at least $5 a ton in silver.

OLD SILVER KING MILL AND PICKET POST BUTTE

SENATOR MILL ON THE HASSAYAMPA, BELOW PRESCOTT

The story of the discovery of the Silver King is one of the romances of Western mining history. Here it is, as it was told to me: In 1872, Gen. Stoneman, later governor of California, established a camp near an Apache trail anu constructed a road up the face of a mountain of the Pinal range. One of the soldiers, named Sullivan, employed in cutting the trail, returned from work one evening, sat down on a projecting rock near camp, and began picking up fragments among which were some small heavy, black metallic-looking lumps. These, instead of breaking up when pounded on the stones, flattened out, somewhat resembling lead. His term of service expiring soon afterward, he made his way to the ranch of Chas. G. Mason, on Salt River, near the present site of Phœnix. The soldier frequently showed Mason the black nuggets, without saying where he found them. One day Sullivan disappeared and was not heard of for years.

Meantime, several attempts were made to find the source of the nuggets. A location was made a mile and a half away, and called the "Silver Queen," the first location made in the region. Later was established Globe district, now famous as a producer of copper. In 1875 Mr. Mason and one of his neighbors, Benjamin W. Regan, formed a party of five, consisting of themselves, William H. Long, Isaac Copeland and another to go again to the Globe mine, taking a train of animals to fetch out some of the ore. On their way back, March 21, 1875, they were attacked by Apaches, and one of their party was killed. His body was taken to Camp Supply, at the summit of the Stoneman Grade, and was buried by his comrades in one of the old stone ovens used for baking bread by Stoneman's soldiers. When the survivors reached the foot of the grade near to the water and camp, Copeland was sent to fetch a mule, which had strayed, and found it standing on some croppings at one side of the trail, some of which he broke off. He soon after came hurrying into camp shouting, "I have struck it," and "it's good enough for me." It was the "black stuff"—metallic silver.

The ownership of the Silver King location was then equally divided between the four survivors of the party of five. Copeland and Long sold out to their partners for $80,000, under the impression that the mine was too good to last, but this amount was made from the net profits in less than six months. Then Charles Mason weakened and sold his interest to Col. S. M. Barney, of Yuma, for $250,000. At this time the first-class ores assayed $8,000 to $20,000 per ton, and were shipped to San Francisco by way of Yuma. Soon after, Reagan began to suspect the mine had a bottom to it, and sold out to Barney for $300,000.

Several years later, when the Silver King was in full operation, an aged man came slowly into the settlement of Picket Post, as Pinal City was then called, and gazed with interest at the busy scene around the mill. He went to the office of the company, announced himself as Sullivan, the old soldier, the original discoverer of the vein, and asked for work. He was identified, and taken into the company's employ. He had been working as a farm hand in California, trying to obtain sufficient means to return to Arizona.

The Silver Queen, referred to by Brook, is now included in what is known as Superior Mining district. A shaft sunk from near the top of a hillside for several hundred feet served as outlet for very rich silver ores. The silver at depth became mixed with copper, and became hard to work and less valuable, and so, the mine practically was abandoned with hundreds of tons of "refractory" ore thrown away on the dump. Later, some Globe miners sampled this dump, and found it so rich in copper that a bond was taken on the mine for $50,000. This bond later was taken up personally by one of the Globe men, who sold the Silver Queen claim to Hayden, Stone & Co. of New York, representing the Lewisohn mining interests. A shaft was sunk deeper and at once ran into one of the greatest copper bonanzas of the world. Today it is known as the Magma mine; possessing, developed to great depth, one of the richest copper deposits opened up in the Southwest, valued at many millions of dollars.

This history of a silver capping to a copper deposit is common in the Southwest, where it appears that the richer the silver capping the richer the copper to be found below. On this hypothesis, there are many who believe that underneath

the old Silver King workings may lie a body of copper similar to that developed in the Silver Queen.

DISCOVERY OF TOMBSTONE'S RICHES

There was nothing prosaic about the richness of Tombstone's mines. They were founded on romance, and romance and excitement dominated the days of their operation. Romance there was in their location.

Ed Schieffelin, in the winter of 1877-8, after short civilian service with a company of soldiers, was employed to do assessment work on the Brunckow mine, about a mile north of the site of Charleston. This was the only mine then known in that locality. It had been located in 1858 by a Polish scientist, who had given the claim his own name. The mine was valueless. Schieffelin's idle time was spent in the hills prospecting. He was probably the only man in the camp who cared to prospect, for the hill slopes were uninviting, and it was known that they contained Apaches. As he started on one particular expedition, a companion queried, "Where are you going, Ed?" "Just out in the hills to look for stones," was the reply, and the parting observation as he tramped away was, "The stone you will find will be your tombstone." Possibly that very day, at a point a short distance below the present town, he traced some rich silver "float" to a ledge on which he set his foot and cried, "At last I have found my tombstone!" This claim, which he named the Tombstone, he recorded at Tucson, September 3, 1877. It was several miles from the later camp of Tombstone and about four miles from the San Pedro River.

His work on the Brunckow finished, Schieffelin went to Silver King, where he learned that his brother, Al, had gone to Signal in Mohave County. He journeyed thither and showed his "float" to Dick Gird, assayer at the time in the Signal mill. Much interested, Gird and Al Schieffelin accompanied him back to Southern Arizona, and soon letters arrived in Signal telling they had struck it rich, causing an exodus of much of the male population of that camp bound for the new strike. The original location, the Tombstone, did not prove of much value, but much better success attended the development of a number of claims staked out on the very site of the town thereafter established. These claims included the Tough Nut, Goodenough, Lucky Cuss and East Side and West Side.

Soon after the arrival of the Schieffelin party, the upper mineral section of the district was accidentally stumbled upon by Ed. Williams and Jack Friday. In the night their mules had broken loose from a dry camp that had been made, and struck out for water along an Indian trail. In the morning they were tracked, their way made clear by a dragging chain attached to one of the animals. Following the chain trail, Williams noticed the bright gleam of metal where the iron had been dragged, and investigation developed the existence of the Contention lode, the richest location ever made in the district. The mules were followed over into the Schieffelin camp, where the new mine received its logical name in the contention that arose over its ownership, for Schieffelin was none too well pleased that a stranger had discovered mineral almost under his very nose. The quarrel was settled, however, by the division of the ground, the Schieffelin interests taking the lower end, the Contention, and Williams and his partner the other, the Grand Central. Gus Barron, a skilled miner and

THE LAST OF THE GREAT PUMP ON THE GRAND CENTRAL, TOMBSTONE

VIEW OF TOMBSTONE

friend of Schieffelin, then was called up from Mexico to superintend development.

Soon after discovery, the Contention was purchased by J. H. White and W. S. Denson, who represented W. D. Dean of San Francisco. The price was $10,000, considered exorbitant by the sellers themselves, who could not foresee the future production of millions of dollars.

The principal mining companies during the palmy days of the camp were the Contention Consolidated, Grand Central, Tombstone Milling and Mining Company, Vizina, Empire and Stonewall. Water was struck in the Sulphuret shaft at 500 feet. The Grand Central and Contention put in pumps, but found that they were draining the district, while the other companies refused to pay a proportion of the expense. The Grand Central, which had surface works materially higher than any other in the district, kept pumping to some extent till May, 1886, when the surface works burned. The Grand Central pump was modeled after those that had proved successful in the Virginia City section and is said to have cost $300,000. It was of the Cornish type, with an immense wooden pump rod, operated by a massive walking beam that reared about thirty feet above its foundation. This beam and the equally enormous fly-wheel still are on the hillside, a monument to departed greatness. About a year after the fire, the Contention hoist and pumping works also were burned, this practically marking the closing down of the entire district.

In the spring of 1880 the Tombstone District had four towns. Tombstone then had a population of about 1,000, established on or near the Tough Nut group of mines. Richmond was a settlement a mile and a quarter to the southeast. At Charleston on the San Pedro were the Corbin and Tombstone mills. The Contention mill was at Contention City, also on the San Pedro. Thos. R. Sorin wrote that, in this same locality, the "Old Bronco mine" had a dark history, in which was mixed the murders of sixteen men. Dick Gird claimed that the old Brunckow house had been the headquarters for a band of smugglers, who did a little mining as a blind.

Early in 1880 Gird was superintendent of the Tombstone Gold and Silver Milling and Mining Company, of which ex-Governor Safford was president, and which owned the Tough Nut and five other claims. March 13, 1879, the Corbin brothers, Hamilton Distin of Philadelphia and Simmons Squire of Boston had purchased the interest of the Schieffelin brothers in the Tough Nut group for $1,000,000. Gird later received the same sum for his third.

The Corbin Company, comprising about the same interests, purchased the others of the original mining claims located by the Schieffelins and Gird, including the Lucky Cuss. The Grand Central in the same period was mentioned only as a prospect that had been developed to a depth of 280 feet.

FORTUNES OF ED. SCHIEFFELIN

Ed Schieffelin was born near Pittsburgh, Penn., in 1848, and when only a lad was taken by his parents to Oregon. Disliking his father's occupation of farming, he ran away from home to prospect for mineral in Southern Oregon. Thereafter he knew no life save that of the prospector, in Nevada, Idaho, Colorado and New Mexico. He worked at anything else only in order to secure funds for another trip to the mountains. Almost continually his life was in

danger from Indians of various sorts. A description of him, written about 1876, tells that he was "about the queerest specimen of human flesh ever seen, about 6 feet 2 inches in height, with black curly hair that hung several inches below his shoulders. His long, untrimmed beard was a mass of unkempt knots and mats. His clothing was worn out and covered with patches of deerskins, corduroy and flannel and his old slouch hat, too, was so pieced with rabbit skin that very little of the original felt remained. Although only 27 years of age, he looked at least forty." It was about that time that Schieffelin had temporary service with the army as a scout, but in 1877 he was again punching a burro in the hills of Southern Arizona.

It is probable that riches brought little pleasure to Schieffelin and that never again was he as happy as in his Arizona days. His brother died while still in possession of his share of the return from the mines and left his money to relatives. Ed gave away large sums to old friends and to his family connections and lost much in speculations that proved him a very bad business man indeed. Dissatisfied with civilization, he moved from the home he had established in New Jersey, left his wife in California and again started out as a prospector, though on a rather elaborate scale. He bought a small sternwheel steamer and for a summer prospected the bars of the Yukon River in Alaska.

In May, 1897, his body was found in a cabin near Cañonville, Oregon, death having come suddenly of heart disease. When his will was opened it was found that his thoughts had ever lingered with Arizona, for there was a direction that he was to be buried in the garb of a prospector together with his old pick and canteen, near the mines he had discovered. The wish was carried out and burial was on a lonely granite point, several miles west of Tombstone, where he had made his camp at the time of his discovery. The monument, of cemented rock, is sixteen feet high and rests upon a foundation twenty feet square and, though out of the path of travel, can be seen from the car windows of the Fairbank-Tombstone train. Upon it is a simple inscription: "Ed Schieffelin; died May 12, 1897, aged 49 years 8 months; a dutiful son; a faithful husband; a kind brother; a true friend."

CONSOLIDATION OF THE TOMBSTONE MINES

In the early days of the camp, A. L. Grow was one of those who came from Signal. In 1891 he was made local agent for a couple of the companies, and in 1894 included the Grand Central property within the scope of his supervision. He evolved a great idea, that of consolidating all the mines of the district into one corporation that could handle the water, and thus again make available the riches of the flooded lower workings. Grow got satisfactory bonds on about all the properties. He tried to float the consolidation in New York and London, but failed, though at one time very near to success.

In 1901 E. B. Gage came to the fore and took over the bonds. Gage knew the property very well indeed, for he had been superintendent and later president of the Grand Central Company.

The new controlling corporation, the Tombstone Consolidated Mines Company, was more or less subsidiary to the Development Company of America, which had been organized mainly through the efforts of Frank M. Murphy of

ED. SCHIEFFELIN—DISCOVERER OF THE TOMBSTONE MINES

Prescott, controlling the stock of companies operating mines at Imperial, Congress, Poland and other Arizona points.

Not far from the old Contention workings, with an especial view toward tapping the great ledge at depth, was started the Boom shaft, driven down to 1,080 feet of depth. Good silver ore was found and it was felt that a wonderful copper body eventually would be uncovered a little further down. Other shafts were cleaned out and equipped, and an expensive forty-stamp mill was built. As depth was attained, difficulty with water increased with every foot of sinking. A dozen great boilers were found necessary to provide steam for pumps that at one time were raising 8,000,000 gallons of water a day, the oil fuel expense alone amounting to $700 a day. It is told that all in all the company showed debits amounting to over $5,000,000 during the term of its activities, with only relatively small returns from ores extracted, for the main workings did not reach the point where the managers believed the best ore lay. Disaster came quickly in June, 1909. Failure to properly drain the oil tanks let water into fuel pipes under the boilers and the fires immediately were extinguished. In the shaft the water leaped upward and drowned out the pumps within an hour. New sinking pumps were lowered, but it was just one day more than fifteen months before the pumping station on the 1,000-foot level again was drained. The expense proved too much for the company to bear, and on January 19, 1911, the fires were pulled and the water again was allowed to rise unchecked to its natural level. On August 10 of the same year the company went into bankruptcy. On June 23, 1914, at receiver's sale the whole property of the Tombstone Consolidated Mines Company was purchased for $500,000 by the Phelps-Dodge Company.

The Phelps-Dodge Company, warned by the experience of its predecessor, has not attempted the task of draining the locality, but is proceeding on an exploration of the ground that may take years before pumps again are started.

During the period of bankruptcy, the trustee in bankruptcy of the property was none other than Mr. Grow, and it is notable that during this term, instead of sitting idly, he made the mines bear more than their own expense, producing $46,000 under a system of leases, with a minimum outlay. The property now controlled by the Phelps-Dodge Company in the district embraces about 150 claims.

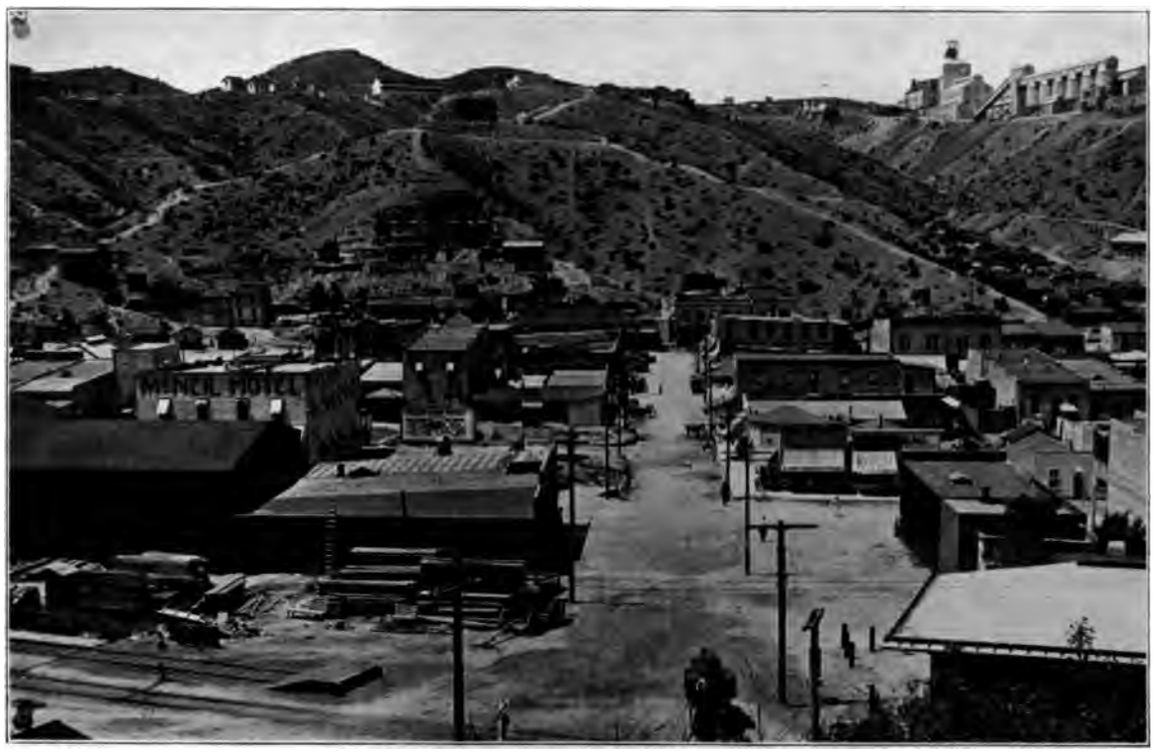
An aftermath of the failure of Tombstone was a suit, filed on June 4, 1914, by the Development Company of America against the Southern Pacific of Kentucky, seeking $15,000,000 damages. The complaint, on the evidence of Frank M. Murphy of the Development Company, included passing reference to the manner in which the Southern Pacific had checkmated Murphy and the Santa Fé in their attempt to enter the transportation field of Southern Arizona. Apparently involved in the transfer to the Southern Pacific of the Santa Fé east of Phœnix was an agreement whereby 51 per cent of the stock of the Development Company was to have been taken by the Southern Pacific for $3,500,000. With it would have been carried control of the stock of the Tombstone, Imperial, Congress and Poland mining companies, as well as the railroad out of Red Rock and a concession for building a railroad into Mexico. It was alleged that in July, 1910, in consideration of the agreement, the defendant company, through its president, R. S. Lovett, promised to loan the Development Company $500,000;

that this agreement was not kept; that the plaintiff was forced to borrow, under unfavorable terms, later to lose the hypothecated stock and that the mines finally had to be closed down for lack of funds to continue their operation.

The Commonwealth mine was discovered in 1894 by a miner, from whom the resultant camp of Pearce took its name. Two years after the property was sold for $275,000, though the deepest shaft was one of only fifty feet. A 200-ton mill then placed on the mine was destroyed by fire in June, 1900. It was succeeded by an eighty-stamp mill, which continued in operation till December, 1904, when the mines were closed down. The ores are assumed to have been much leaner than had been known, though the cause given for the stoppage was a serious cave-in. It has been told that the output for four years approximated $4,000,000, mainly in gold. The owners were Pennsylvania people, including Senator Boise Penrose. The following year Swatling & Smith, former heads of the mining and reduction departments, paid the owners $200,000 on lease percentages and are assumed to have cleared at least as much more for themselves, during the one year. In 1909 Swatling & Smith, having bought the property, added to its equipment only to again see the mill destroyed by fire. In all, the mine is credited with production of at least $10,000,000 in gold. The property still is operated.

A GENUINE INDIAN MINE

Of romantic history is the old Vekol mine, thirty miles south of Casa Grande, once a large producer of silver and lead. It was an Indian mine, one of the few of the many such reported that proved to have real existence. Its secret was given about forty years ago by Pima Indians to John D. Walker. Walker, who rather prided himself that in his blood was a strain of Wyandotte Indian, had lived with the Pimas for years and had secured their confidence both by his generosity and the fact that he had married into the tribe. The Indians brought in specimens of ore, which he had assayed, finding that they contained several thousand ounces of silver to the ton. He passed on the secret to his friend, Peter R. Brady, but the Indians refused to show the mine if he was accompanied by anyone save his brother, Lucien. The locators went out at night, but Brady followed on the trail in the morning, reaching the Vekol ground while Walker was putting up his monuments, and was welcomed as a third partner. The ore outcrop from which the Indians had taken their specimens was worked out within a day, but Lucien Walker stayed with the mine and sunk a deeper shaft on the spot from which the specimens had come. Following a talc seam, not thicker than a knife blade, after three weeks' labor he found a large chamber of rich ore, and by the same method of following the seam other and larger lenses were discovered, some of them containing phenomenally rich ore. In gratitude to the Indians, only Pimas and Papagos were employed underground, where the workings were of the crudest sort, running irregularly as the seams were drifted upon. An offer of $200,000 was made for the property and refused by the Walkers, who thereafter paid Brady $65,000 for his third interest. It is told that they made the payment from the proceeds of ten carloads of ore they already had available for shipment. The fortunes created were the cause of a number of bitter lawsuits that originated in Los Angeles, around the claims of John D. Walker's Indian daughter.



VIEW OF MIAMI

CHAPTER XXXIV

GREAT COPPER DEPOSITS

The History of the Globe Section—Miami's Recent Development—Ray's Mines and Hayden's Reduction Works—Clifton, a Pioneer Copper Producer—Bisbee's Real Discoverer—Growth of the Camp—Mining for a Meteor—Copper Production.

The first recorded locations in Globe were the Globe and Globe Ledge claims, the stakes set, in 1873, upon a great iron capping by B. W. Reagan, the Anderson brothers, Charles Mason, De Long and Copland. Their claims now are included within the main workings of the Old Dominion Copper Company, one of the largest copper producers of the Southwest, but the locators thought they had a silver mine. Little was done on the property for about three years. Then Reagan, having become the sole owner, employed "Bud" Woodson and Phil Phelps to dig a hundred-foot tunnel. The first copper mining was done in 1878 by Garrish & Van Arsdale, who had bonded the Hoosier and Gray claims from Woodson & Phelps. Some ore was taken out and hauled to Wheatfields, down Pinal Creek, where permanent water was available and where there had been erected a simple sort of adobe smelting furnace.

A prospector named Stowe is said to have worked in the hills around the location of Globe as early as 1864 and to have been an occasional visitor to Camp Goodwin, where he secured his supplies. In 1869 W. A. Holmes, far better known as "Hunkydory," was a member of a party that passed through the same region. Locations are said to have been made in 1870 by Holmes, H. B. Summers and Cal. Jackson.

In 1881 the Old Dominion Mining Company erected a thirty-ton furnace at Bloody Tanks, about nine miles across the hills from Globe, at the head of Miami Gulch, only a short distance from the present site of Miami. This furnace was run about three months only, on ore from the Philadelphia, New York, Old Dominion-Keystone and Borva claims. It being evident that the site was poorly chosen, the company purchased the Globe claim, which by that time had also been equipped with a small furnace and moved its own water jacket down to the Globe, the two furnaces occupying a location on the edge of Pinal Creek, just below the spot where the Old Dominion smelter of to-day now stands. Beside the 100-foot tunnel, the Globe and surrounding claims had only a few ten-foot prospect holes, a very small showing on which to base the operations of a couple of furnaces. But a shaft promptly was started on the hillside above and the fact remains that, from that day onward, there was never a time when an ample ore supply was not available, ahead of all demands of the smelter.

A couple of other small water-jackets had been installed about the same time for working the surface carbonate and oxide ores of the mines, particularly the Carrie smelter, which stood on a little point of land on the western side of the creek, now within the residential section of Globe. Its manager was John Williams, a pioneer smelter man.

In 1881 Gen. A. A. McDonald built a couple of adobe furnaces, but abandoned them almost immediately for one of the water-jacket type, wherein were worked the silicious ores of the Buffalo group. Still nearer town was the Hoosier smelter of the Long Island Company, operated by Frank Nicholson, who made a remarkable record in smelting free ores and established the first eight-hour shift of the district. Both mines now belong to the Old Dominion group. E. O. Kennedy and John Williams, son of the Carrie's manager, made some remarkable records with the Old Dominion smelter. It was told of the latter, working three thirty-ton water jackets, that he handled about 150 tons of ore a day for two weeks, with a return from the ore that averaged 23 per cent black copper.

Transportation was the main expense and trouble of the pioneer copper days. Most of the travel came around by Casa Grande, Florence and Silver King, at the last point the passenger mounting a mule for a thirty-mile ride across the mountains, via Devil's Cañon, with its famous rock slide. The mail came in by the way of Florence, Riverside and Pioneer, across the Pinal Mountains. Wagon transportation had only one way into camp, from Willcox or Bowie, on the Southern Pacific, 140 miles, through the San Carlos Indian Reservation. There were all sorts of teams upon the road, from two-horse wagons driven by struggling Mormon colonists from the Gila Valley, up to the famous bell team of sixteen immense Norman-Percheron horses. There were teams of twenty-four mules, of the best Kentucky breed, and again, into camp would roll a mile or so of "rawhide" equipment, of Mexican mules, with Mexican drivers, both, seemingly, living off the country as they passed.

There was little sulphur in the ores of that day and coke consumption was relatively heavy. Some of the coke came all of the way from Wales. It cost $5.50 duty paid in San Francisco, $20 was added for the railroad freight to Willcox, and then it cost $40 more to haul from the railroad to the mine. Naturally, under the circumstances, the best coke was the cheapest in the end.

In 1882, when copper had reached 19 cents and the district was on the highest tide of prosperity, occurred the failure of the Credit Foncier, through which most of the copper of the world then was being marketed. The red metal dropped at once to about 9 cents. The furnaces of the district necessarily closed and Globe entered upon a period of depression that was not lifted till the arrival of cheaper and better transportation with the completion of the Gila Valley, Globe & Northern Railroad, December 1, 1898.

SILVER IN THE GLOBE SECTION

It was the history of mining in the Southwest that practically all copper districts have silver in their croppings. This was pre-eminently true of Globe. One of the most noted of the early silver mines was the Stonewall Jackson, at McMillen, located in February, 1876, by Harris & McMillen. Though it was worked for more than four years, its location really was on the San Carlos Indian Reservation, from which it afterward was cut off by congressional enactment.

BISBEE IN THE EARLY '80s

The ledge was a clear one, traceable for ten miles and, in places, eighty feet in thickness, and it is improbable that its only riches are upon the Stonewall claim. The surface of the claim had wonderfully rich ore. Some almost pure silver was chiseled from a pay streak, but most of the product was handled in a five-stamp mill packed in over the mountains by a California company, which made about $1,000,000 by its operations, over the cost price of $120,000. One feature of the early milling was that salt for amalgamation was purchased for 25 cents a pound of the Cox brothers, who evaporated it from the waters of a saline spring on a tributary of Salt River.

The mines of Richmond Basin were discovered about the same time by Dickey & Olvaney, who located the Richmond East and Richmond West claims for themselves and the MacMorris for a grub-stake partner, one MacMorris of Prescott, together with Cook & Styles of Florence. The last claim proved the best. In 1885, for $90,000, it was sold to Fisk & Stout of New York, who formed a company for its operation. The senior member of the firm was Gen. Clinton B. Fisk, the first national prohibition candidate for President. He sent his son out to Globe to establish a bank. At Wheatfield the company built a ten-stamp mill that ran for three years, with returns of $1,750,000. Good values were found in the ore from the upper levels, but from 400 to 800 feet of depth little ore was found. There is a story, possibly authentic, to the effect that the last few mill runs were helped out by the melting of Mexican dollars brought in and charged to expense. Superintendent Baldwin, who last was in charge, started for the East to consult with the directors and was accidentally killed while crossing the Sierras. It is also told that a senior officer of the company, coming from New York, made a close inspection of the mine and immediately ordered out every workman and closed it down, as he supposed forever. Despite this decision, considerable money has come of late out of the old MacMorris, from ore overlooked in the early workings.

One of the richest silver mines of the district was the Silver Nugget, in Richmond Basin, located by a German prospector, who sold it, for a mule, to the four Chilson brothers, whose first shipment to the Selby works in San Francisco was of $60,000 worth of almost pure malleable native and horn silver, picked up from granite bedrock on the surface of the ground. Most of it was in chunks that could be tossed into a wagon. There was a ledge, however, which was worked down about 100 feet, with the finding of several pockets of the same rich ore. The Chilsons sold, for $100,000, to a New York company, which built a mill and which never realized a cent from its investment.

One boulder of silver ore found on the McMillen-Richmond Basin trail and known as "Munson's chunk," was worth $3,500 to the fortunate finder. As late as 1893 a thirty-one pound silver nugget was found in the basin by Leroy F. Ikenberry. Very rich lead-silver ore was found in the early days in mines such as the Ramboz (one of the first mines worked), Rescue and Blue Bird, valued up to thousands of dollars to the ton. Indians are said to have used some of this silver in moulding bullets.

Just across the Pinal divide is Pioneer, where, in 1877, the Pioneer and South Pioneer silver mines were located by Tom Newlands and George Scott. They soon sold to a Philadelphia company, represented by W. B. Hellings, an old-time Arizonan who had been operating a flour mill near Phœnix. Hellings

built two mills and soon ran through his ore, thereafter having about the same degree of success in connection with a gold mine a short distance north of Phœnix.

The silver mines of the olden days are nearly all abandoned, though the MacMorris and Stonewall Jackson still show signs of life. Gold there is, and even asbestos comes in for shipment, but the camp to-day relies almost wholly upon copper, save for the trade that comes from the cattle ranges. The Old Dominion now has a great modern smelter and concentrator. The Arizona Commercial also owns a reduction plant.

Globe was one of the few Arizona camps to organize a legal mining district, with its own district laws and its own recorder. Dr. Frink was the leader of the organization, which was perfected in the winter of 1875. It was abandoned as unnecessary when Gila County was created. Among those who attended the first meeting an old-timer recollects Bill Hope, Doc Hammond, Jim Winters, Dr. Brown, Bob Metcalf, Al Whitlock, George Scott and "Black Jack" Harvey. Winters took the papers to Prescott for recording, as the district then was in Yavapai County.

GREAT OPERATIONS AT MIAMI

Miami, at the head of Miami Wash, now has taken on identity separate from that of Globe and is a community of large promise. As a settlement it dates only from October, 1907, though its postoffice was not established till October, 1909. Thereafter the growth was gourd-like, till in 1914 the population had reached about 9,000, with prospects for even a substantial increase in the near future. In the early days the Miami ores were found both low-grade and "base." There were no facilities in those days for handling anything save high-grade carbonate and oxide ores. Its mining locations were among the earliest, but its development has been late and possible only through the combination of capital and the relative degree of advancement of concentration processes. In November, 1907, the Miami Copper Company was organized by J. Parke Channing, a noted mining engineer, backed by the Lewisohn mining syndicate, to take over the Oates-Newman group that had been secured a year before by the General Development Company. At the depth of 220 feet, a prospect shaft passed through the oxidized strata into 4 per cent chalcocite, the same ore from which copper since has been extracted valued at millions of dollars. The company, with B. B. Gottsberger as general manager, now is operating a model concentrator, with capacity of about 6,000 tons of ore a day.

Still larger in prospect are the operations of the Inspiration Consolidated Copper Company, which, under Manager C. E. Mills, has completed a concentrator with capacity for handling 14,000 tons of ore each day. The company has done an immense amount of prospecting by means of churn drills. It has absorbed the Live Oak and Keystone properties, the latter only in the spring of 1915, after some litigation. There has been much experimentation with the oil-flotation process in the big new mill, which is expected to set a new record of efficiency.

The latest addition to the large industries of Miami is the smelter of the International Smelting and Refining Company, placed high on a point above the valley, where there is ample room for the dumping of slag. The new plant

LIFT N ABOUT 1912 SHOWING ARIZONA SMELTER

MIAMI CONCENTRATOR

CONVERTER SYSTEM FOR PURIFYING MATTE

ARIZONA COPPER COMPANY'S NEW SMELTER BELOW CLIFTON

SHANNON COPPER COMPANY'S SMELTER AND MILL

cost about $2,000,000. With its three great reverberatory furnaces, it will not be the largest in Arizona, but will have advantage in handling mainly concentrates, with an estimated production capacity for 150,000,000 pounds of copper per annum. It will care for the product of the Miami and Inspiration mills.

One novel feature is that a large part of the power needed in the Miami mines and reduction works is electrical, brought by wire from the Roosevelt dam, under an advantageous contract made with the Reclamation Service.

It is understood that at least $16,000,000 has been spent in the vicinity of Miami in the last few years in the development of mining property and in the building of reduction plants.

When General Kearny made his forced march from Santa Fé to San Diego in 1846, his topographer, Lieut. W. H. Emory, was especially struck by the sight of enormous copper croppings at the mouth of what he named Mineral Creek, where that stream joined the Gila, a short distance below the Gila's union with the San Pedro. The lieutenant had a vision of ore-laden barges that should float down the Rio Gila, presumably to some great reduction works at the head of tidewater. It would have been well indeed if the officer, who died rich in honors, could have been spared to visit the locality to-day. Though his information concerning the Gila's cargo-bearing ability was most meager, he was a prophet indeed concerning the ultimate value of the locality as a producer of copper. Where he crossed the Gila at the San Pedro's mouth now are two sizeable towns, Winkelman and Hayden. At the latter rise the enormous buildings of a great smelter and of one of the largest concentrating mills in the world. The path he followed down the Gila is occupied by a broad-gauge railroad, of which a branch turns up Mineral Creek to be the daily carrier of about 8,000 tons of ore. The iron and copper-stained hills that he viewed with keen appreciation of their riches are not yet productive upon as large a scale as are workings a few miles up the creek, where a Guggenheim corporation, the Ray Consolidated Copper Company, is deriving large interest upon an investment of about $10,000,000.

MINERAL CREEK AND THE RAY MINES

Mineral Creek, true to its name, is well mineralized along its entire length, where all the hills show croppings of copper and gold. It is not far by trail from the Silver King and Superior districts, whose riches naturally caused close scrutiny of the region roundabout. On the east there passed what for years was the main highway across the Pinal Mountains to Globe. The earliest locations were made about the year 1874. In 1883 production had been started by means of a thirty-ton furnace on the north bank of the Gila, fed by ore from the Ray, Scorpion and Bilk claims. In September, 1877, had been organized Mineral Creek Mining District, wherein the principal claims, owned by Thos. G. Newlands, carried silver, little mention being made of copper mines at that time. More than thirty years ago the Ray was considered one of the most remarkable mines in the territory, described as "an immense mass of native copper in a formation of syenite." The Ray Copper Company was organized in 1882. George H. Sargent of Boston and H. K. Thurber of New York successively were at its head, with Louis Zeckendorf, a Tucson merchant, as secretary and treasurer. Under J. N. Curtis a small concentrator was built, one of

the first in Arizona. The ores were relatively rich, running up to 6 per cent copper.

In 1898 the property was sold to English capitalists, headed by James Gordon, and there was organized the Ray Copper Company, Ltd., which built a mill of 250 tons daily capacity at what was named Kelvin, at the mouth of Mineral Creek, connected with the mine by a seven-mile narrow-gauge railroad. About 5,000 tons of ore were treated, the concentrates shipped to the railroad at Tucson. Old-timers find keen joy in telling the story of this period of Ray mining. It appeared as though all the younger sons of the English stockholders had to be provided with jobs, irrespective of capacity or knowledge. The trails were full of very correctly attired young fellows, riding pad saddles on dock-tailed ponies. Where the material yard and warehouse should have gone at Kelvin, on the only level spot available, were tennis courts. There is authority for the statement that the office force "knocked off" daily an hour for afternoon tea. A road had to be built across the Gila hills to a station on the Southern Pacific and on this was tried the experiment of English steam motor trains, but return finally had to be made to the mule, the one dependable standby of pioneer days. James Hill of London was manager and, handicapped by the character of the operating force and machinery thrust upon him by his directors, there can be little doubt that his administration was hardly satisfactory even to himself. So the property was closed down within a couple of years.

The mine passed into the hands of its present owners in 1908. It had been offered to the Lewissohn syndicate, represented by J. Parke Channing, a couple of years before. But this option was not taken up, as the ores averaged too low in grade. Channing, in December, 1906, became interested in the Miami property near Globe, a mine on which the Guggenheim syndicate of Colorado Springs had failed to take up a prior option. So it happened that the people who held the option on the Miami eventually bought the Ray and the syndicate dropping the Ray took up the Miami.

The new Ray company, then, as now, managed by D. C. Jackling, at once started upon a policy of thorough exploration of its mineral holdings, embracing 2,000 acres. For several years thirteen churn drills were kept at work and 346 inch drill holes were made on 200-foot squares. The work for about six years has been under the immediate superintendence of L. S. Cates, who was brought down from Bingham, Utah, the pioneer field of low-grade concentrating copper reduction. The mill, started in March, 1910, was placed at Hayden simply because there could be found enough room and enough water. On adjoining ground has been placed a great smelter, of an allied company, wherein the reverberatory furnaces were started in May, 1912.

The Gila River mining section has been attractive to mining men ever since the first bold prospectors dared the Apaches to wash the sands of cañons wherein occasional rich finds of placer gold had been made. There was once a considerable mining settlement at Riverside, now only a memory, a short distance up the river from Kelvin.

CLIFTON'S DEVELOPMENT

Simply because it is located in a cañon, beneath a frowning bluff, the name Clifton in error often is assumed to have something to do with cliffs. On the authority of that pioneer of valued historic reminiscences, A. F. Banta:

UNITED EASTERN HOIST, TOM REED MILL, OATMAN

SCENE IN OATMAN, NOVEMBER, 1915

In 1864, Henry Clifton, recorder of the Hassayampa mining district, and four other prospectors, whose names I cannot now recall, left the headwaters of the Hassayampa for a fabulous El Dorado, the San Francisco River, where gold could be scooped up with a scoop shovel. Before leaving the district he appointed Charles Taylor as deputy recorder for the Hassayampa district. Clifton and party discovered copper mines on the San Francisco and, as he was the leading spirit of the expedition, he was honored in the naming of the locality. In the early days the country was almost inaccessible in many parts on account of Apaches and, of course, the more the Apaches and the more inaccessible the section, the greater were the stories of its golden wealth. So it was about the San Francisco River and its tributaries. People only knew in a vague way, that it was in the heart of Apacheria right, and that was enough, but the establishment of Camp Goodwin, on the Gila, or rather at some springs three miles south of the Gila, gave prospectors courage and they began to reach out for that country.

As far back as the early '50s a trapper named Weanes is said to have caught beaver along the San Francisco, and copper and gold were found by a few adventurous parties, such as that of Clifton's, but the country was too remote and too much infested by the Indians for any greater permanent settlement.

One party that had been organized early in 1870 at Pinos Altos, a gold camp near Silver City, located some claims in Gold Gulch, two miles west of Morenci. In July, 1870, a few members of this party gathered together an expedition of forty-six men, one of them Isaac N. Stevens, for many years one of the prominent residents of the district. The expedition had poor luck. It found gold, but rains failed to come and there was no water with which to wash the gravel, so the party went back to what is now Silver City, then by the Mexicans called San Vicente. A few returned later in the year, still looking for gold. These gold seekers found copper croppings, of course, but no copper claims appear to have been located until 1872, when some of the Pinos Altos men located the Arizona Central, Yankie (original spelling) and Moctezuma. These mines later proved among the largest producers of the district.

The four claims were purchased by E. D. Ward, a Detroit steamboat owner of large wealth, who paid the locators $2,000 for each claim, together with all expenses of preliminary development and patent. The first superintendent sent out by Ward was named Jay. He was an old steamboat captain and it is not told that he knew very much about mining. In 1872 also, Robert Metcalfe located claims on what now is known as Shannon Mountain, near the Town of Metcalf, seven miles up Chase Creek Cañon from Clifton. To him also is credited location of the Longfellow mine, probably the most notable and richest claim of the district. The miners then organized and formed the Copper Mountain Mining District. Mr. Stevens from memory tells that the organizers were himself, Stewart Brunnan, Owen Roberts, Joe C. Callbell, Bill Blood, Joe Yankie, Jim Pollard, Bob Metcalfe, Captain Jay, Pierce, Webb and George Parker, the last a colored cook. Yankie was the first district recorder.

In 1873 Metcalfe secured financial support from the Leszynsky brothers, who were conducting a large store at Las Cruces. The same year they erected the first adobe smelter in the district below the Longfellow claims, with a capacity for about a ton of ore a day. The furnace was of Mexican type, built of adobe. The fuel used was charcoal, supplied from rude kilns in the mesquite country along the Gila.

The ore smelted was of the richest carbonate and oxide types, usually averaging about 20 per cent metal, but much of this was lost, owing to the crude method of treatment. The slag dump proved a very treasure when reworked in the furnaces of a later day.

Four months of this was enough for Metcalfe, however. Profit failing to materialize, he sold out for $5,000 to the Leszynskys, who continued operations of the adobe furnace, but a year or so later brought in the first water jacket. The transportation problem proving serious, the Leszynskys were forced to the construction of a railroad up Chase Creek Cañon, of only 20-inch gauge. This for a while had mules as motive power, but the fact remains that it was the first railroad ever built in Arizona.

This railroad system, the "baby-gauge," as it was called, was extended into Morenci, up a wonderful and dizzy incline from Chase Creek, and thence through several tunnels, reaching successively Yankie Basin and Morenci Gulch, to the Humboldt mine and Morenci, wherein now are the furnaces of the Detroit Copper Company. Later the road also was extended up Chase Creek Cañon to the Metcalfe and Coronado mines. At each is a long incline, leading up to tunnels in the hills above. The road later was made a regular 36-inch narrow-gauge, and now is operated with the highest grade of modern equipment, with great mountain-climbing locomotives beside which "Dad" Arbuckle's first engine would appear a mere toy.

The Apaches continued constantly in the hills around Clifton until about 1885. In 1882 a number of miners were killed on Gold Creek and an attack even was made on the outskirts of Morenci.

The Leszynskys left Clifton in 1883, when they sold to the Arizona Copper Company, Ltd., a Scotch corporation. It is understood to have paid $2,000,000. The principal trouble at that time was transportation, though copper had dropped to a very low price, but the company, with ample capital, proceeded to build its own railroad, a narrow-gauge, from Lordsburg, on the Southern Pacific, a distance of seventy-three miles. The first few years were rather lean ones, despite the richness of the Longfellow ores. In 1892 a material advance was made by the Arizona Copper Company, in the erection of a leaching plant, designed by Superintendent James Colquhoun, which, to a degree, solved the question of handling certain types of low-grade ore.

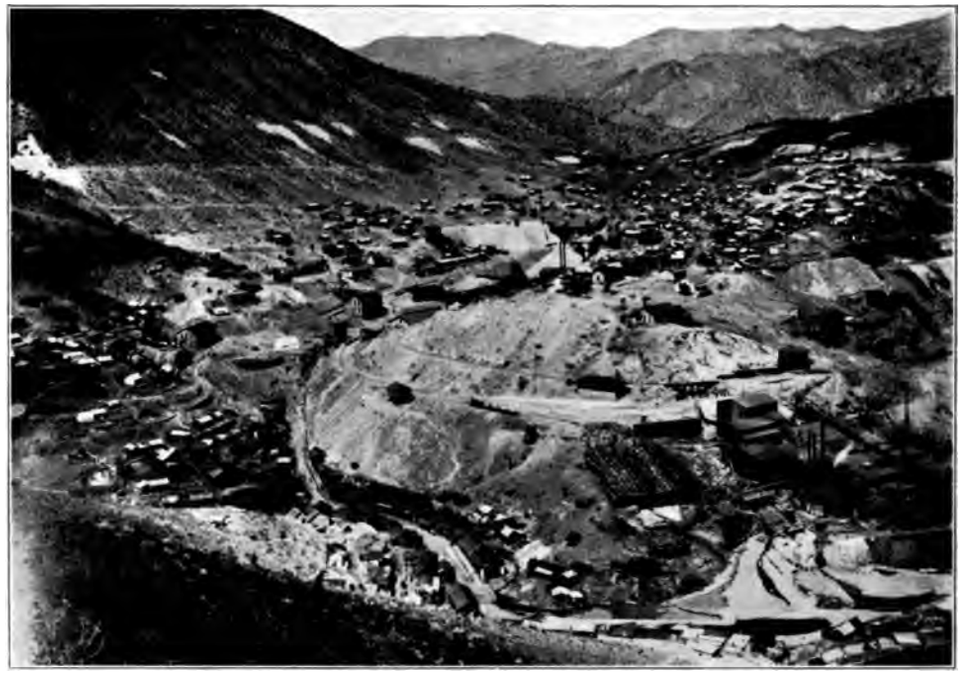
The ores of the Clifton-Morenci District now worked are generally of low grade, averaging about 3 per cent copper. This is handled with profit only by recourse to most effective labor-saving reduction devices. Mining generally is done by Mexican labor, and nearly all of the ore is handled in concentrators.

The smelter of the Arizona Copper Company, at the junction of the Chase Creek and San Francisco River valleys, for years was known to mining men as an animated scrap heap, as it was added to from time to time, as enlarged production was desired. In 1914, however, the Scotch stockholders were prevailed upon to stop the flow of dividends long enough to build a modern smelter at a cost of several millions of dollars, on the plans of Dr. L. D. Ricketts. This new smelter, where the ore is handled in reverberatory furnaces, is located a short distance below the Town of Clifton and the site of the old furnaces.

The Detroit Copper Company was organized by Captain Ward in 1875, joined by Church. In 1882 they started a small smelter on the San Francisco

VIEW OF MORENCI, 1910

DETROIT COPPER COMPANY'S MILL, MORENCI



MORENCI ABOUT 1895
Showing old Detroit Copper Company's smelter

River, six miles from Morenci, the nearest available water supply. After two years the plant was moved up to the mines, to which water was pumped.

The early Morenci, located in the bottom of the cañon, into where the big smelter's slag dump since has grown, was a town of shacks and rather notable for its general toughness. The early peace officers were heavy-handed two-gun men, however, and kept disorder down to a remarkable degree. Later all saloons and other concomitant features were removed to what is called Newtown, entirely away from the ground controlled by the mining corporations.

The Phelps-Dodge Company purchased a controlling interest in the Detroit Copper Company in 1895. In 1901 it had solved a seemingly impossible problem and had made railroad connection with the Arizona & New Mexico Railroad at Guthrie, about eighteen miles below Clifton. The difficulties of transportation are not ended when Morenci is reached, for the town still necessarily lies fastened to steep hillsides, and only in the past year has she boasted of a single street on which a wagon might be driven. Pack mules even yet do the house-to-house delivering within the camp.

The Shannon mines at Metcalf, in September, 1899, were transferred by Chas. M. Shannon to a corporation that has built a fine smelter below Clifton and that has provided its own railroad line between the mines and reduction works.

As many as 5,000 men have been employed by the principal companies of the Clifton-Morenci District. The three corporations control hundreds of mining claims, embracing the larger part of the mineralized sections. A number of other corporations have worked in the district above Clifton, in the San Francisco River Valley and up Chase Creek Cañon, and gold still is mined in the section beyond Morenci. Made necessary by the rather erratic "lay" of the ore bodies, the companies have avoided much trouble by joining in a side-line agreement. This also has been done at Bisbee.

Clifton has been visited intermittently by destructive floods that have torn down the channels of the San Francisco River and of Chase Creek. About the worst was June 9, 1903, during the time of the great mining strike. The principal damage was in the Valley of Chase Creek, which had been thickly settled by the lower class of Mexicans. While only thirteen bodies were recovered, possibly fifty Mexicans died, carried down by the flood, which at first was of mud as thick as molasses, for concentrator retaining dams had burst in the cañons above. The damage done approximated $100,000. To the relief work the local mining companies and banks contributed a fund of $10,000, declining assistance offered by other towns in the Southwest.

In January, 1905, Clifton experienced one of the worst of floods, resulting in damage of about $300,000, of which two-thirds was to the property of the mining and railroad companies. The floor of the Arizona Copper Company's smelter was submerged six feet deep. Several deaths were incidental.

Still another destructive flood tore through Clifton December 4, 1906. About a score of human beings perished, most of them Mexicans. In this flood there was the same destructive downrush of mud in which property and bodies were buried. A notable feature was the fact that an adobe house in the flooded section of the town came through in safety, possibly due to its name, for its

facetious Mexican owner had dubbed it "La Arca de Noe," which in English means "Noah's Ark."

In 1909 complaint was made by the farmers of the Gila Valley that the tailings of the great concentrating mills around Clifton were polluting the irrigation waters between Solomonville and Fort Thomas, covering the land with a barren silt in which crops could not be made to grow. The matter was taken into the courts and the contention of the farmers established to such a degree that the mining companies remedied the obnoxious situation by building large dams for the impounding of the tailings.

In October, 1915, started what developed as the most serious labor trouble ever known in the Southwest. For higher wages and incidental union recognition, there was a strike of about 5,000 miners and workmen, mainly Mexicans, in the camps of Clifton, Morenci and Metcalf. The managers of the Arizona, Detroit and Shannon mining companies, fearing bodily violence, left Clifton at once. At Duncan, on the railroad south of Clifton, the companies started a refugee camp, wherefrom in December nearly 500 men were sent into Morenci, to do assessment work on unpatented claims, this importation of non-union men protected by a force of United States deputy marshals, under orders of the Federal Court at Tucson.

BISBEE'S MINING HISTORY

Bisbee, the greatest of the southwestern mining camps and Arizona's largest producer of copper, has about it no ancient glamour whatever. It is a decidedly modern sort of camp. Except for some possible scouting through the Mule Pass Mountains by early military forces and except for the occasional passage of smugglers, the locality was little known, and its mineral riches were unsuspected until August 2, 1877, when John Dunn, a government scout, found ore in place within the present city limits of Bisbee.

Dunn at that time was in a military scouting party that included Lieut. J. A. Rucker and T. D. Burne, both of whom were included in the location notice of the Rucker mine, as the first claim was named. Dunn is known to have been a gallant soldier and a man of high character, and that he was also a man of intelligence and education is shown by a letter written by him to General Rucker of the United States army, giving the details of the death of Rucker's son, Dunn's partner in the mine, who was drowned July 12, 1878, in a cloudburst in a cañon of the Chiricahua Mountains. At Bowie, some time after the return from the Mule Pass Mountains, Dunn met George Warren, later called the "Father of the Camp." He told Warren of his discovery and furnished a grubstake on the usual condition of a half-interest in all the mineral found. Warren went around by way of Fort Huachuca, secured some companions, and December 27, 1877, made his first location, the Mercey mine, fifty-six days after the date of the Rucker. It would appear that any agreement made by Warren with Dunn was not kept. The locators of the Mercey claim were George Beal, M. H. Chapin, Harry McCoy, George Warren and Frank McKean. On the following day Warren is noted as a witness to the location of the Silver Queen mine, claimed by S. M. Whiteside, John B. Loughead and W. A. Kearns. October 12 Warren was one of three locators of the Mohawk and McKean mines, and in December he was included in the location of the Robb and Neptune claims.

JACK DUNN
Discoverer of Bisbee mines

Thereafter for about six months his name occasionally appears in connection with the location, as witness or locator, of the Emmett, Halcro, Virginia, Excelsior, Iron Springs, Dixie, Wade Hampton and Tar Heel claims. One of the owners of the Robb was D. B. Rea, a Tucson lawyer, who brought into Bisbee in April, 1878, one Warner Buck, who knew something about assaying and smelting and who built a little smelter, with a large bellows to furnish the blast. The Hendricks mine was located in April, 1878, by Rea. Twelve mining claims were located in the vicinity of Bisbee in 1877. In 1878 fourteen claims were filed and two relocations, but in 1879 only three locations were recorded of claims in Mule Gulch. The Copper Queen mine, the original Mercey, was located on December 15, 1879, by George H. Eddleman and M. A. Herring. Eddleman ten days before had located the Mammoth on the old Robb ground.

Warren sold or lost most of his mining property within a few years. It is told that he lost his interest in one claim by a drunken wager that on foot he could make a short distance up the gulch faster than another man could on horseback. In 1881 he was brought before the probate judge of Cochise County on a charge of insanity and George Pridgen was appointed his guardian. His estate was found to be a twelfth interest in the Mammoth mine, a third interest in the Safford and a third interest in the Crescent, in all valued at and by the guardian sold for $925. Despite his detention for a while in the county jail as a person dangerous to be at large, it would appear that his dementia must have been of very mild character, probably due to intoxicants, for he was released before long, but penniless. Then it is told that he went to Mexico, where he practically subjected himself to peonage. His Mexican debt was paid by Judge G. H. Berry. Warren after thus regaining his liberty returned to Bisbee, where he lived for several years precariously, given a small pension by the Copper Queen Company and doing odd jobs, such as sawing wood, till he died a few years later.

Early in 1914 the Bisbee Lodge of Elks set on foot an investigation and found the grave of George Warren in the poorer part of the Bisbee Cemetery, identified by a small rotted wooden headboard, simply marked "G. W." The body was transferred to a more prominent location and there was provided a monument more in keeping with the distinction of the man whose last resting place thus was marked.

Judge Jas. F. Duncan made a visit to Bisbee in the late fall of 1879 from his camp a short distance from Tombstone. The trip was made around by San Pedro Valley, and hardly a trail could be found into the lower end of Mule Pass, which was entered November 7. He records in his notations what appeared to be the entire population of the village, Marcus A. Herring, better known as "Kentuck," George Eddleman, D. B. Rea, George Warren, Chas. Vincent and Joe Dyer. The camp even then had some history for relation. There was seen the little Rea furnace from which some matte had been shipped, but which had failed to pay expenses. There had been two deaths, Paddy Dyer and Joe Herring, the latter a brother of Col. William Herring, later a distinguished Arizona attorney, but no relation to "Kentuck."

RISE OF THE COPPER QUEEN

The development of the Copper Queen group of mines seems to have started with the coming of Edward Riley, a lawyer of Lancaster, Pennsylvania, who,

according to Duncan, had invested in a copper mine at Elko, Nevada, and there erected a smelter of which Lewis Williams was superintendent. Very much poorer, Riley came to Arizona, and by L. Zeckendorf of Tucson was directed to the Mule Pass Mountains as a new and possibly rich mining field. He took a bond on the Copper Queen claim, and then proceeded to try to market his option on money loaned by Zeckendorf. In San Francisco he interested a firm of engineers, Martin & Ballard, which took up the bond for the sum of $20,000. Mr. Martin of the firm employed Lewis Williams as superintendent and soon thereafter was erected a thirty-six inch water jacket furnace for the smelting of the ores. Williams arrived June 14, 1880, and had the smelter ready to run in about sixty days. The first run was a failure on account of a too limited water supply, but there was no trouble after that. About the time of this first furnace run arrived Ben Williams, who later managed the mine while Lewis attended to the smelting end. A third brother, John Williams, also came, though only to pass upon some property. About this same time the Neptune Company was developing a large group of Bisbee claims and had built a small smelter on the San Pedro River, for water was in small supply at the mines. This company failed about 1882 and its property later was absorbed by the Copper Queen.

The Bisbee copper mines had their silver capping, small deposits that were worked by the early miners and that still are found profitable by the Copper Queen, which for years has taken rich silver ores from claims on the hillside, far above the site of the old Bisbee smelter.

Toward the end of 1880 there came to Arizona a mining expert already of distinguished reputation, Dr. James Douglas, especially to see the United Verde mine, which he decided was too far from transportation to be profitable. Early in 1881 he paid a visit to his friend Riley at Bisbee, where the little furnace was turning out about one pound of copper for every four pounds of ore treated.

The adjoining property to the Martin-Ballard-Riley claim was purchased on Dr. Douglas' recommendation by the Phelps-Dodge Company for $40,000. At the end of 1884 Martin found he had only three months' ore left in his mine, and the Phelps-Dodge property adjoining, the Atlanta, was in much the same condition, according to the history of the mine contained in a late address made by Dr. Douglas. There was a prospect of abandoning both properties, when from either side of the dividing line drifts ran into what Dr. Douglas calls a "glorious body of ore." Then, in order to avoid possible litigation, the two interests were joined in August, 1885, under the title of the Copper Queen Consolidated Mining Company. There were hard times for a while, for copper had dropped to 8 cents, but the price soon raised and since then the Copper Queen has had ahead even years of stoping and has driven hundreds of miles of workings, ever getting deeper toward the southward. The ore has changed with depth and now mainly is sulphide, which in the early days would have been impossible to handle, but which now is even more cheaply smelted than are the surface oxides and carbonates.

In Bisbee there is a story that the discovery of ore in the old workings was made in defiance of orders. J. W. Howell was foreman and, taking a few hard-headed miners into his confidence, he drifted down the gulch on the 400-foot

GEORGE WARREN, PROSPECTOR

level of the old incline shaft that started in the open cut above the present library. To this day old-timers refer to the John Smith stope, for it was on John Smith's shift that a blast broke into a rich ore body on what is now the 200 level of the Czar shaft of the Copper Queen.

It is impossible within the necessary limits of this publication to give a full account of the expansion of the Copper Queen Company and its absorption of the Holbrook, Neptune and other properties, from which later came its main ore supply.

The Copper Queen Company from the time it took over the mines has pursued a policy almost paternal. Notable monuments to the successes of this policy are the public schools, hospital, Y. M. C. A. building and library. The company maintained no boarding house and rented no houses and compelled no man to purchase at the company store. A number of attempts made to unionize the camp uniformly were defeated by the company, which did not hesitate to stop the larger part of its operations when considered necessary to drive agitators out of the camp. The company has led in increases of wage schedules and has in its employ an unusually large number of married men who have been with it for years. A few years ago was established an employees' association for the payment of accident and death benefits. Other companies of the camp have joined with the Copper Queen in the same general policy toward their workmen.

GENESIS OF THE CALUMET AND ARIZONA

In tragedy was laid the foundation of the great Calumet and Arizona mines. W. W. Lowther was one of the simplest and bravest of men. He was so brave that he didn't need to parade the fact, as did the professional "bad men" of the day. As an example of his type, he permitted a knife-armed drunken printer in Globe to chase him through a saloon and over a bar. Any moment he could have turned and shot, but all that Lowther did was to hunt up the printer's employer, and suggest that the man be disarmed, as "a fellow who was a bit too strong for the camp." On the expiration of Lowther's term as sheriff in Gila County, he went to Bisbee, where he was appointed a peace officer. In Mule Gulch, a mile below the center of town, was the home of James Daley, a morbid sort of individual, who had been fighting an attempt of the Copper Queen to establish a right of way across his property. All financial recompense, however liberal, offered by Superintendent Ben Williams had been refused. In the course of the continued argument, Daley was shot by Dan Simon, a constable, who was sent to Yuma on a year's sentence for the offense. Then it was that Daley declared he would never again be arrested. Some time thereafter he assaulted a Mexican, who demanded his arrest. April 10, 1890, Lowther was given the warrant. As he started down the cañon, he was warned of Daley's dangerous character, but answered that he must do his duty. Daley warned him away from the house, but Lowther kept approaching. finally to be dropped dead, with a load of buckshot in his breast. Daley fled over the hills and never was apprehended. It was assumed that he had fled into Mexico. A few months thereafter, however, Andy Mehan, a saloonkeeper, appeared in Bisbee with a bill of sale to all of Daley's property which he said had been given to him by Daley in Trinidad, Colorado. About the same time Mehan's

property, including this bill of sale, was attached for debt by the Cohn brothers, Tombstone tobacco merchants, who, later, at sheriff's sale, acquired any rights that Mehan might have had.

Daley had lived with a Mexican woman. As a legal widow, she claimed possession, selling her claims for $1,800 to Martin Costello, a Tombstone saloonkeeper. A third claimant appeared in person, with an 18-year-old son, coming from Leadville, Colorado, claiming to be Daley's lawful wife or widow, but her claims seemed to have not been pushed very vigorously. The Cohn brothers on their claim against Mehan of only $300 secured a judgment in the Justice's Court. The case was taken up in the District Court in 1888 by Costello and, represented by Judge James Reilly, was decided in favor of Costello, who won also, in May, 1889, when the case was appealed to the Supreme Court of the United States, through the Supreme Court of Arizona, the litigation in all lasting ten years. The importance of the case can better be understood when it is appreciated that it was over possession of the Irish Mag group of mines, which later became the central property of the Calumet & Arizona Mining Company, and from which copper since has been taken valued at many millions of dollars. Soon after he secured title, Costello sold to the Calumet & Arizona Mining Company for $550,000. He died a couple of years ago in Los Angeles, worth many millions. Reilly also died rich, largely through Costello's generosity, after having lived in poverty nearly all his life. Adolph Cohn is dead, and Dave Cohn lately was working as a miner in one of the shafts of the Copper Queen Company.

The Calumet & Arizona Mining Company continued the sinking of the Irish Mag shaft in the face of a general local belief that the property was not within the mineralized zone of the camp. But at that time the fact was not appreciated that the Bisbee ores were to be found deeper and deeper toward the southward and the width of the zone of enrichment had not been demonstrated. The developing company soon ran into a wonderfully rich body of sulphide, when its prosperity became assured. The company has absorbed a number of neighboring properties, and its workings center around the Junction shaft, where many hundreds of feet were sunk before ore was struck. This shaft, one of the deepest in the district, has been lined with concrete and made absolutely fireproof, a precaution considered necessary through the fact that it handles most of the water pumped in the entire district.

In 1902 the Calumet and Arizona became a producer. In November of that year its first furnaces started operations at a site two miles west of the new Town of Douglas. This smelter was joined on the east in 1904 by a much larger one, owned by the Copper Queen. Both plants have been entirely rebuilt and now are turning out more than one-third of the copper production of Arizona.

A METEOR'S AWFUL SMASH

For years mining of the oddest sort has been prosecuted in the Meteor, or Coon Butte, crater, a few miles southeast of Cañon Diablo station on the main line of the Santa Fé system. What is being sought is a mass of meteoric iron, believed to lie nearly a thousand feet deep, down below the floor of what once was thought the crater of an extinct volcano. But the "crater" is in sandstone, distinctly of aqueous deposition. In January, 1903, the ground was

STEAM ARASTRA, NEAR MINERAL PARK, 1877

CRATER OF METEOR MOUNTAIN, WHERE A METEOR HIT THE EARTH

secured by D. M. Barringer and associates, Pennsylvania capitalists, who organized the Standard Iron Company and employed a scientific Arizonan, S. J. Holsinger, to demonstrate his theory that the meteor still was there. There was a commercial side to the transaction, for the iron fragments found on the surface, scattered around the lip of the crater for miles distant, carry a large percentage of nickel and form a metallic combination much like the highest grade of battleship armor steel. The crater is about 600 feet deep and averages about 3,800 feet in diameter. Its lip is raised above the plain about 130 feet and the stratification of the sandstone has been uptilted from the impact of the celestial visitor. The crater is floored with a fine silicious dust, "rock flour," simply comminuted silica, where the sandstone of the plain has been vitrified by the intense heat of the impact, as it was ground under an infinite force that displaced at least 1,000,000 tons of sandstone and that upheaved and threw out about 200,000 tons more, while the lifted or disturbed rock around the edge has been estimated at above 300,000,000 tons weight. This "rock flour" will pass through a 200-mesh screen. No particle is as large as an ordinary grain of sand.

For five and a half miles from the crater have been found fragments of meteoric iron and hundreds of specimens have been sent to museums all over the world. It is probable that nowhere else has there been found such a quantity. Meteors have been known to fall in the locality within the past few years. The composition of the metal found is fairly uniform, comprising about 92 per cent iron, about 8 per cent nickel, with platinum and iridium present to the extent of three-fourths of an ounce to the ton of metal, while there has been demonstrated the presence of microscopic diamonds. Possibly twenty tons of the iron were picked up on the plain and shipped, mainly by Trader Volz of Cañon Diablo, the largest piece, now in the Field Columbian Museum at Chicago, weighing 1,013 pounds. Very little iron has been found within the crater, very logically, for its bottom is deeply covered with talus and loose material from the borders.

Having demonstrated to their satisfaction that a meteor made the hole and that at least nine-tenths of the metal that struck the earth must yet remain below the earthy covering into which it plunged, Mr. Barringer and Mr. Holsinger proceeded to dig. A 200-foot shaft ran into wet "rock flour" to such an extent that no further sinking was possible. Drill holes were sunk, however, as far down as an unaltered red sandstone that was found in place, as in the Grand Cañon of the Colorado, seventy miles distant. In all twenty-five holes were bored. In some of them, at depths around 400 feet, further progress was blocked by striking undoubtedly what was meteoric iron, as shown by analyses of the material brought up. Yet it is not claimed that the central mass has been found.

The probable size of the meteor has been made the subject for much calculation, based upon artillery tabulations. One scientist has concluded the mass might have been 1,500 feet in diameter, but others have concluded that, with a final velocity of 9,000 feet a second, the estimated penetration of 900 feet in soft rock could have been accomplished by the fall of a body only one-twenty-fifth the weight of the maximum estimate made. Save for the fragments that may have separated from it in its flight through the earth's atmosphere, it is

expected to find it intact, probably a bit to one side of the center of the crater, as indicated by the different tilting of the strata on opposite sides.

PANICS AND LATE COPPER PRODUCTION

The panic of 1907 hit hard the mining industry of the Southwest. Then copper went down to about 12 cents, which represented even less than cost to all save the largest mines. As a result many thousands of miners were discharged in the fall of the year and reduction works, while not closed altogther, were operated with as small a force as possible. The worst blow was at Cananea, where thousands of men had to be dropped. Wages were reduced. Almost the entire population of some of the smaller camps, such as Ray, Twin Buttes and Humboldt, moved elsewhere. The panic did not particularly affect the larger towns of the territory. Clearing-house certificates were issued in Tucson, Globe, Bisbee, Douglas and Flagstaff. At Globe the First National Bank was unable to stand the pressure and closed its doors. At Humboldt the smelting works were covered with attachments aggregating $500,000.

The late summer of 1914 was the beginning of another gloomy period for the copper miners of Arizona. The European war had deprived Arizona of more than half her copper market and the price of the metal had descended until it had become little more than nominal. All of the copper mines closed down and in the larger camps production generally was cut in half and the force of workmen correspondingly diminished. There was no fear for the future, however, and construction work on a number of new smelting and reduction plants proceeded steadily and much development work was done in preparation for better days to come. These better times materialized in the spring of the following year, when copper returned to active demand at a remunerative price.

For the year 1915 Arizona's copper production approximated a total of 450,000,000 pounds, the state leading the entire country in the output of this metal. The heaviest production was that of the Copper Queen at Bisbee, around 86,000,000 pounds, though the Calumet and Arizona shipped 75,000,000 pounds and the Ray 62,000,000 pounds. The output would have been much greater had it not been for the strike that cut off three months' product of the companies at Clifton and Morenci. The last of 1915 finds the copper market in much better condition than for years, with active demand at around 24 cents a pound. Wages of miners have been advanced to the highest figure known, labor in this way sharing to a degree in the profits that are coming to the corporations.

THE GREAT ROOSEVELT DAM AND RESERVOIR AT FLOOD TIME

CHAPTER XXXV

IRRIGATION DEVELOPMENT

Long Effort and Millions of Dollars Expended on the Salt River Project—Electric Power Generation—Roosevelt Dedicates the Roosevelt Dam—Yuma Well Served from the Laguna Dam—Storage Plans for the Gila River Valley.

In Arizona little rain falls in the great valleys where millions of acres of good land lie available for cultivation. There is a heavier rainfall, with snow, in the mountains, but all the draining streams, even the Colorado, are torrential in character. There must be resort to irrigation, but primarily on the basis of the lowest supply afforded by the watering streams. Otherwise, farming would be a gamble, pure and simple. Thus, it has come to pass that water storage is viewed as most essential, insuring irrigation throughout the year, without reference to the seasons of flood or drought. In the Salt River Valley once it was said that the farms had irrigation only at medium river stages, because at flood times the dams were swept away and in times of low water the streams had too small a supply. All this has been cured by the construction of a storage dam, giving in every season the flow needed.

The genesis of the Salt River irrigation project was a resolution of the Phœnix Chamber of Commerce, passed in the early summer of 1889. The directors of the body had been advised that in the late fall there might be expected a visit from a senatorial sub-committee on irrigation, headed by Sen. Wm. M. Stewart, looking for available sites for the storage of water for the reclamation of the arid lands of the inter-mountain region. So the directors formally asked the Maricopa County Board of Supervisors to bear the expense of looking for such sites on the Salt and Verde River watersheds. The supervisors saw the importance of the action suggested and detailed County Surveyor W. M. Breakenridge for the work. In August, accompanied by John H. Norton and Jas. H. McClintock, he started out, impedimenta and instruments carried on pack mules. The journey was a rough one, through much of Central Arizona, keeping, of course, within the drainage area of the two streams that join at the head of the Salt River Valley. Many damsites were found and a few reservoir sites, some of them good enough for consideration in the future, but best of all was the natural combination discovered at the junction of Salt River and Tonto Creek. There was a narrow cañon for the dam, in hard rock of advantageous stratification, furnishing the best of building material. Above was a wing-shaped double valley, within which was storage capacity for all the floods of an average season.

The results of the trip were presented to the Senate committee a couple of months later, officially placing on record the advantages of the Tonto Basin site.

THE HENDERSHOTT CLAIMS

The people of the Salt River Valley were fortunate indeed in the ease with which the Reclamation Service secured title to the Tonto damsite, for its condemnation might have been a task practically impossible if it had been held by a corporation that had insisted upon its rights to build a dam and thus to control the water system and the destiny of the valley below. There was something almost providential in the manner in which the site was held for the use of the people as a whole.

A couple of years after the survey of the dam and reservoir sites by the Breakenridge party, there came to Phœnix a lawyer and promoter, Wells Hendershott. Happening to see the record of the discovery party, he proceeded to locate the damsite in the name of a corporation he then formed, the Hudson Reservoir and Canal Company. His especial idea was the conservation of the water supply for a large expanse of rich and even yet unwatered land east of Mesa, which he proposed to serve by means of a high-line canal, taken from the Salt at a point above the junction of the Verde. This idea was not original. It had been conceived by the arch-schemer Reavis. In some hypnotic manner Hendershott succeeded in borrowing considerable sums of money on his personal account purely, from Man & Man, reputable New York lawyers. A few months later, finding that their loans to him were likely to be lost, they looked further into his affairs and reluctantly took as security a large part of his interest in the reservoir company.

In 1905 one of the members of the firm came to Phœnix with Sims Ely, secretary of the corporation, with the idea of starting work, Hendershott having reported he had secured funds elsewhere to practically complete the financing of the project. It was demonstrated at once that this statement was invented. Messrs. Man and Sims then arranged for the preliminary work and shortly thereafter took over all of Hendershott's remaining interest, incidentally paying the indebtedness he had incurred. Contracts were secured from the various canal companies that assured good interest on the investment necessary to the building of the dam, the scope of the project having been modified so as to include only the lands of the valley already under canal. A deal was made also with a mining company of Globe for electrical power. Altogether the investment seemed to assure an annual return of more than 20 per cent on the projected investment of $3,000,000.

Notwithstanding the soundness of the project, the necessary capital could not be secured and, following the enactment of the Reclamation Act, a sale was made to the Government for $40,000, the Mans taking a loss of about $60,000. The Government was anxious to purchase, for the engineering and other data on the project was complete and had been verified by Government engineers. The project was in fact ready for an instant beginning, the only project thus available for the work of the Reclamation Service.

Even more important was the fact that rights had been acquired from the department of the interior that still had some years to run. If these rights had not been purchased, the activities of the Reclamation Service necessarily would have been diverted to some other locality and the Salt River project to-day might have been only in about the same constructive stage as that on the Rio Grande.

ROOSEVELT, THE TOWN THAT WAS DROWNED OUT

AS THE ROOSEVELT DAMSITE WAS

At that time also there was a great question concerning the power of the Government, under the law as enacted, to build a reservoir for lands privately owned. The officers of the Water Users' Association always were nervous over this legal question until the Government had made such large investments as to assure the completion of the project. If the Mans and Ely had stood on their rights and declined to sell, it is even probable that there would have been no reservoir at all, with the Government eliminated, with only the chance left of securing private capital for the completion of the enterprise.

AGITATING FOR NATIONAL SUPPORT

Maj. John W. Powell may be considered the father of national reclamation in the United States. He was one of the officers of the Geological Survey at the time of its institution in 1879 and already had printed a book on the arid regions of the West. In 1888, after years of importunity of Congress and after he had been made director of the Geological Survey, he was granted an appropriation of $100,000 for investigation of the extent to which the arid regions might be reclaimed.

In 1896, in Phœnix, was held a most notable session of the National Irrigation Congress, whereat, championed by "Buckey" O'Neill, declaration was made in favor of the policy of national irrigation and wherein one of the most active, assuredly one of the most eloquent, members was Geo. H. Maxwell, who thereafter became executive chairman of the congress. Mr. Maxwell preached the doctrine of reclamation all over the United States, supported in this work by contributions from the great western railroads, which were anxious to increase population and traffic along their lines. To the Congress undoubtedly is due the migration of thousands of settlers into the irrigated districts of the Southwest and, still better, it was a prime factor in educating legislators to the point where finally the National Reclamation Act had a chance for passage, after violent opposition by the friends of capital and the advocates of state cession. One of the strongest advocates of this national irrigation policy was Francis G. Newlands, representative to Congress from Nevada.

The principal reason why the Roosevelt dam was built is that the people of Phœnix went after it with all their might. They were especially favored in the fact that Field Engineer Arthur Powell Davis of the United States Geological Survey, who visited this valley in 1896 and made a magnificent report upon its irrigation capabilities, was in a position at Washington to explain the advantages of putting the first demonstration of the national irrigation policy at a point where nature favored in such large degree and where the distribution of water already was provided for within one of the richest agricultural valleys of the Nation.

In 1900, under authority of the Legislature, Chief Justice Webster Street appointed a water storage commission, consisting of J. T. Priest, chairman; W. D. Fulwiler, Charles Goldman, Dwight B. Heard and Jed Peterson. This commission made a favorable report on the Tonto Basin dam site, but there was almost despair concerning the matter of finance.

In 1900 Engineer Davis again was sent into the valley for further study of the local situation. He reported upon the McDowell Verde site unfavorably,

and renewed his approval of the Tonto Basin site. This visit was largely due to the action of a committee of twenty-five members of the National Irrigation Congress, appointed in the same year. The Arizona member of this committee was B. A. Fowler of Glendale, who offered his personal guarantee for the expenses of the field investigation.

The first definite local work toward the building of the Tonto Basin reservoir was begun in Phœnix in March, 1901, when, under the leadership of Geo. H. Maxwell of the executive committee of the National Irrigation Association there was held a meeting of business men and whereat, to push the work, was selected a committee, headed by B. A. Fowler. The Legislature of that year had authorized a Maricopa County tax levy of $30,000 for preliminary work looking toward water storage. There had been a national appropriation of $10,000 for the same purpose.

The people of the Salt River Valley were perfectly willing to build their own dam and, in March, 1902, petitioned Congress for authority to issue bonds for that purpose in an amount not exceeding $2,250,000. There had been many other plans to reach the desired end. Governor Murphy had fought for the cession of the arid lands of the West to the states, with the understanding that the states would sell much of the land to companies that would build the canals and reservoirs. Governor Wolfley, during his term of office, had addressed Congress suggesting that in the arid districts corporations be granted alternate sections of land, contingent upon the irrigation of the whole area.

PASSAGE OF THE RECLAMATION ACT

When, after the assassination of President McKinley, Theodore Roosevelt assumed the presidential chair, there was a marked change for the better. Colonel Roosevelt called a consultation of scientists and congressmen interested in irrigation and to them stated, with even more than customary emphasis, "I am going to incorporate in my first message to Congress a clause favoring a Federal irrigation law." All he wanted to know was in what shape he should put his message. Thereafter there was redrafting of the bill that Newlands had pushed, and on June 17, 1902, the anniversary of the battle of Bunker Hill, the Reclamation Act became a law by the signature of the President. This act provided that the proceeds of land sales in the several states, should be utilized in the building of reclamation works. There was more or less assumption on the part of the western representatives that each state should be returned about what it had paid in. Arizona, however, had been decidedly favored in this respect, for she has received a score of times more money back than ever she has paid for lands into the Federal treasury, even though the Colorado River irrigation project at Yuma was partially charged against the State of California.

Though plans for a number of irrigation projects already had been sketched by the Reclamation Service officials, the first work was upon the Truckee River project, near Reno, the home of Mr. Newlands, and upon the Salt River project, wherein the Reclamation Service engineers saw their best chance for the evolution of an ideal storage and irrigation system.

Under the provisions of the reclamation law of 1902, the United States Reclamation Service was organized as a branch of the United States Geological Sur-

POWER LINE THROUGH SUPERSTITION MOUNTAINS, ARIZONA

vey, of which Chas. D. Walcott was director and Fred H. Newell chief hydrographer.

Return of the funds expended by the Government was to be made by the several projects in ten annual installments, commencing one year from the date of the formal notice of completion of the project. In 1914 this term was changed to twenty years. It was assumed at the start that the act was only for the benefit of unoccupied areas of land, which were to be taken up by bona fide settlers, under the homestead law, in small tracts. The actual working out gave results very different indeed. It soon was demonstrated that no poor settler possibly could exist upon a desert homestead during the years that would be necessary for the completion of the storage works and of the canals that would bring water to the arid acres.

Another feature, which practically cut the original settlers of the valley out from participation in the benefits of the act, in effect gave the ordinary stream flow to the older settlers and the stored flow to the new homesteaders. The main reason for the passage of the act was the necessity for water regulation for the benefit of settlers whose irrigation flow had theretofore been cut off in the dryer periods of the year. It was found impossible also to keep the funds of any one state to itself, as the expenditure involved for any one project was far in excess of local land office revenues.

But the new Reclamation Service tackled this job with enthusiasm, despite the deceiving limitations put upon its energies. Not only because of its natural advantages, but because its citizens had worked upon that line for years, the Salt River Valley was given preference as the site of the first large project, and, as a joint charge against Arizona and California, a diversion weir was planned across the Colorado.

There was much to do, however, in Phœnix, in order that the bounty of the Government might be accepted. A local committee of thirty members, headed by B. A. Fowler, for months met almost daily, wrestling with serious problems of organization and finance, much impeded in its work by local dissensions concerning the manner in which the stored flow should be distributed. Owners of some of the lands of oldest cultivation, secure in their claims upon even the lowest summer flow, demurred at assuming any share of the burden of the cost of the project. On the other hand, owners of the newer lands sought in every way to secure for themselves the benefit of participation to the extent of even a greater acreage than has been contemplated as irrigable under the project.

Many of the difficulties were solved, however, by adoption of a plan for the organization of the Salt River Valley Water Users' Association, for which the articles of incorporation were filed with the county recorder February 4, 1903. This plan of forming an association to repay the Government the cost of the proposed works had been evolved by Judge J. H. Kibbey. The articles of incorporation later were adopted by the Government as a general plan for similar associations under every governmental reclamation project. B. A. Fowler was the association's first president and Judge Kibbey its counsel.

WORK ON THE ROOSEVELT PROJECT

On March 12, Secretary E. A. Hitchcock, of the Interior Department, tentatively authorized the construction of the Tonto dam. Phœnix burned

much red fire on the night of October 15, 1903, on receipt of word that the secretary had made formal order to begin construction at the Tonto Basin dam site and had authorized the expenditure of $100,000 of a total fund expected to aggregate $3,000,000.

Soon after the passage of the Reclamation Act, a camp of engineers was established near the junction of Salt River and Tonto Creek. The camp, and postoffice were named Roosevelt, and this same name later was given the dam itself. A contract for the structure was awarded April 8, 1905, to John M. O'Rourke & Co., of Galveston, Texas, at an initial price of $1,147,600, the contractors to receive free electric power and free cement.

Something of a precedent was established in connection with the cement. Apparently in a trust, the manufacturers' lowest bid was $4.89 a barrel. The Reclamation Service, refusing to stand what was called a "hold-up," promptly proceeded to put in its own cement mill; a measure denounced at the time as socialistic in the extreme and a denial of the vested rights of capital. But the result proved the wisdom of the policy, for the gross cost of cement, per barrel, was only $3.11, or a saving of nearly $600,000 on the total cost of the structure. The cement cost was not a small one. Altogether were manufactured 338,452 barrels, at a gross cost of $1,063,542.

After bed-rock, at its greatest depth of forty feet, had been reached and the gravel and sand had been sluiced out by hydraulic jets, the first stone of the foundation was laid, September 20, 1906. The last stone, on the coping, 284 feet above, was laid February 6, 1911.

At the river level the dam is 235 feet long and at the top 680 feet. The entire length of the roadway on top of the dam is 1,080 feet, for 200 feet of length was added on either side for spillways, blasted from the mountain side. Its width at the base is 170 feet and at the top 16 feet. Within the dam are 339,400 cubic yards of masonry, and every stone was washed before it was cemented into place.

But there was much more to do than to merely build the dam. To provide power there was built a canal, heading nearly twenty miles above Roosevelt and terminating just above the dam. The penstock leads, under pressure of about 280 feet, to a power house in the cañon just below, where the initial hydro-electric plant has been developed into one capable of furnishing 11,000 horse power. A part of this has been sold to mines at Miami, but the works also have connection with Phœnix, seventy-six miles away, by means of a transmission line, whose steel towers are firmly set into the rocks of the Superstition Mountains. The total cost of power development was $2,741,000, not excessive considering the results achieved. The canals of the valley had to be bought, at a purchase and betterment cost of $604,000 and $126,000 went into pumping plants for extension of the irrigated area. All these additions to the original plan were approved by the Water Users' Association, though through them the cost of the project has been raised from an estimate of $4,000,000 to $10,000,000.

On the theory that there had to be connection between the dam and the valley it served, there was built the Roosevelt road, at a cost of probably $500,000. This road, through the most rugged of mountains and abounding in views of the grandest character, now is a part of a transcontinental automobile highway, as well as serving to connect Globe and Tonto Basin with the state capital.

IRRIGATION CANAL, MESA, SALT RIVER VALLEY

In the summer of 1905 the Reclamation Service secured authority from the Interior Department for the construction of a bed-rock diversion dam across Salt River at Granite Reef, twenty-five miles above Phœnix. The necessity for such a structure had been shown by a drouth of about six months, with serious results to the farmers and orange growers on the Arizona canal, which had lost its timber dam in the floods of the winter before. Service from the diversion dam was inaugurated in May, 1908. The structure cost $622,784.

DEVELOPMENT OF ELECTRICAL ENERGY

Within the Salt River Valley were four small hydro-electric plants, privately owned. Three of these have been acquired by the Reclamation Service, in pursuance of its plan for the development of about 25,000 horse power within the project. This led to some complications. The water power developed in two works along the Arizona Canal had been contracted for a term of twenty-five years, of which seventeen years were yet to run, to the local lighting monopoly of Phœnix. This contract stood very much in the way of the building of a great power plant, contemplated at the end of a new cross-cut that was to connect the Arizona and Grand canals. So, finally, Project Engineer L. C. Hill solved the difficulty by a contract, that at the time excited the most violent criticism. This criticism simmered down, however, when the logic of the situation became known. The Phœnix company was continued in its monopoly for the sale of small quantties of electricity, it to pay the Reclamation Service a charge of 1½ cents per kilowatt for current furnished, but the power houses were surrendered to the service, and the term of the contract was reduced to ten years.

The largely increased cost of the project has been the cause of many allegations of recklessness. To investigate these charges, the Sixty-second Congress appointed a committee of investigation, comprising Congressmen Jas. M. Graham, Walter N. Hensley and Oscar Calloway, constituting a sub-committee of the Committee on Expenditures of the Interior Department. The committee met in Phœnix in April, 1912, and investigated the project, and also visited the Pima and Maricopa Indian Reservation, where electric pumping works had been established by the Reclamation Service for the benefit of the Indians.

The report of the committee, submitted February 11, 1913, rather inferred that the difference between the original estimate and the actual cost had been due to mismanagement and waste, though figures were presented showing additional cost not at first contemplated and that the purchases of the old canals of the valley were made at a cost considerably less than new canals could have been built paralleling them. The report clearly showed a desire to make political capital.

It is very probable indeed, that were this Salt River project to be built again, at this date, the cost could be pared, but the fact remains that the settlers have received much more benefit than at first was contemplated, that they now own their own distributing and power systems and that all legal questions have been cleared away concerning the use of the normal flow of the rivers or of the water stored.

The Salt River project is the first large enterprise of the sort ever handled by the Government and, in a way, was experimental, but through this experi-

ment the farmers around Phœnix have been placed years in advance of other regions in the arid West, which may in time have irrigation works more economically constructed, but which in the meantime will reap no benefit from the flood waters that are flowing away unchecked.

ROOSEVELT DEDICATES THE ROOSEVELT DAM

The formal dedication of the dam was delayed till March 18, 1911, when was secured the attendance of Colonel Roosevelt himself. Reference to his trip has been made elsewhere in this work. At the dam, the arrival of the colonel was the signal for a salute of dynamite that re-echoed down the cañon. There had been gathered as speakers a number of men prominent in the irrigation movement. John P. Orme, president of the Salt River Valley Water Users' Association, the official host, introduced Governor Sloan as chairman for the exercises and, in order, followed addresses by Chief Engineer Louis C. Hill, Statistician C. J. Blanchard of the Reclamation Service, and B. A. Fowler, president of the National Irrigation Congress and one of the men to whom largest local credit was due. Then the guest of honor expressed his gratification, not only over the completion of the structure to which had been given his name, but over the large degree of success that had attended the operation of the Reclamation Act, which had become a law during his term of office as President. He believed that the two most material achievements connected with his administration were the reclamation work in the West and the Panama Canal. The speaker paid especial tribute to Engineers Newell, Davis and Hill. At the conclusion of his address, Colonel Roosevelt, by means of an electric switch, opened sluice gates on the northern slope of the dam and from twin tunnels leaped two great torrents of water that served to fill the bed of the river below, theretofore dry.

At the time of the dedication, behind the dam was only about 100 feet of water. The years of construction had been notably damp ones and then there had come a period of drought. At seventy feet the rising water had eliminated the original Town of Roosevelt, which lay on a shelf above the river bank a half mile above the dam site and the residents had hurriedly moved to a new location on the mesa beyond. All apprehension vanished, however, in the spring of 1915, when the water commenced to rise at the rate of several feet a day. Finally the reservoir was filled to its fullest depth of 225 feet on the evening of April 15, 1915. The first water that went over the spillway was saved for use in the christening in June of the new dreadnaught Arizona. The total capacity of the reservoir approximates 1,300,000 acre feet, in itself enough to insure the irrigation of the dependent lands below for about three years.

The final judgment of a reclamation commission, issued early in 1915, gave a net acreage of 180,599 acres, upon which will be assessed the cost of the project. In addition are 3,000 acres of Indian lands. Plans have been made for the irrigation of 220,000 acres, the balance generally by means of pumping. Still in addition will be the acreage to be irrigated by a proposed storage dam on the Verde.

AN IRRIGATION SCHEME ON A PIOUS BASIS

On the Verde River, above McDowell, about sixty miles northeast of Phœnix, the Salt River Water Users' Association is to build a storage dam

Lake at junction of Salt River and Tonto Creek

Roosevelt Dam, Upstream Face

Theodore Roosevelt addressing the spectators at the opening of Roosevelt Storage Dam, March 18, 1911

Louis C. Hill, chief engineer of Roosevelt Storage Project, speaking at opening of the gates, March 18, 1911

Granite Reef Diversion Dam

Roosevelt Dam, seventy-six miles east of Phoenix

VIEWS OF ROOSEVELT DAM AND THE CEREMONIES OF OPENING DAY

at a cost of $1,000,000, to save the flood waters of that stream. This dam is on the site of one planned as early as 1889 by the Rio Verde Canal Company, which proposed to build a 140-mile canal to irrigate 250,000 acres in Paradise Valley, a northern annex to Salt River Valley. A diversion tunnel was dug around the dam site, and a long stretch of canal excavated within the valley.

The enterprise later had more or less notoriety from the manner of its advertisement. In one circular was stated that

> The canal should be considered a cause, planned primarily as a missionary undertaking, largely that Christianity might be thereby advanced, and that the hope of personal prosperity be the secondary matter. The history of the enterprise contains scores of proofs, which cannot be questioned by any reasonable man, that it has been the object of scrupulous care of Almighty God, who has nations and causes in his keeping and controls the wealth of the universe and the minds and the hearts of men. We feel deeply assured that God's time is now near at hand to crown the enterprise with full success. For the glory of his name we now feel led to ask all of the friends of the enterprise to stand with us in earnest prayer for the victory which we believe is near at hand, having the deep conviction that millions for the development of the enterprise are to be supplied in answer to the united prayers of all who have been led to become interested in it. All that is needed is for God to speak the word and make clear his will to earnest Christian men of large means.

In 1904 subscriptions were acknowledged of over $500,000, with water rights sold to 150,000 acres and with the expectation that irrigation would be started in 1905.

When it is understood that this company collected nearly $1,000,000, very largely through appeals to Christian people, who were told that in Arizona was to be established a colony, wherein God's will was to be the law, the character of the enterprise can be appreciated. These people, mainly under the Desert Land Act, located an immense amount of land and made one or more payments upon it, but their filings nearly all reverted to the Government.

In April, 1899, bankruptcy proceedings were started in Phœnix against the Minnesota and Arizona Construction Company, which was alleged to be in debt $1,000,000, with solvent credits of only about $1,000. This was the construction company of the Rio Verde Canal Company. The principal claim was that of A. H. Linton, who rated as worth only $1 a note given by the Verde Canal Company for $120,273.

A serious blow to the Rio Verde enterprise was given by Judge Kent in the United States District Court at Phœnix, January 11, 1912, though his judgment concerned only a canal right-of-way northwest of Phœnix. Since that time, however, the scheme appears to have fallen through. The Reclamation Service has reserved all ground on which a canal might be dug within the lower Verde Valley. The Rio Verde Company, in another form, was still in existence as late as 1914.

WATER LITIGATION FOREVER SETTLED

In the early days of Salt River Valley irrigation, litigation ever was present between canals and communities and there even had been threats of force, as when the Mormon headgates were closed in the summer of 1879. There was an accession to the legal trouble as soon as the Arizona Canal Company (organized December 22, 1882) began diverting water from the river. There had

been an assumption that a water right had value in itself. Water rights were sold and even mortgaged, and were transferred from farm to farm, at the pleasure of the owners. On this theory, the Arizona canal interests, seeking a larger supply for their lands and the absolute control of the water supply of the northern part of the valley, purchased a controlling interest in the Grand, Maricopa and Salt River Valley canals and, on the authority of the transferred water rights, sought to carry the water thus appropriated to new lands of their own choosing. This action started law suits that continued for years. The principal cases were brought by Michael Wormser, who owned about 7,000 acres of land south of Salt River, later included in the Bartlett-Heard holdings (this somewhat representing the Temple Canal) and by Martin Gold, a farmer southwest of Phœnix, whose water "right" had been sold, but who insisted that his land still was entitled to irrigation.

However illogical the last contention seemed at the time, it later was given legal standing. In 1892 Judge Kibbey, in the United States District Court, in passing upon one of Wormser's law suits, involving the right of the San Francisco ditch to water, rather went out of the narrow track of the judgment in stating his views concerning the status of the irrigation flow. He then announced his opinion that canals were merely carriers of water, that priorities of appropriation should be upon the basis of the first irrigation of the lands benefited and reclaimed and that the land and the water should not be separated in the manner theretofore assumed proper. This later was known as the Kibbey decision, though the jurist always insisted that it was not a decision at all, but merely a bit of gratuitous advice. At any event, it since has become the law of the land, sustained by courts throughout the arid regions and now undisputed in its application.

In February, 1899, Judge R. E. Sloan of Prescott, sitting temporarily on the bench of the Third Judicial District, in a decision on the case of H. E. Slosser against the Salt River Valley Canal Company took an advanced position in irrigation jurisprudence, sustaining the Kibbey decision. While the decree simply permitted Slosser to purchase the carriage of water in a canal in which he had no "water right," the court inclined toward the contention that to the farm and not to the farmer belonged the water that might be appropriated from a stream. The decision stated that water should go to the land that first uses it and considered the canal in question a carrier of water, though not a "common carrier" in the full meaning of the legal term. Floating or unattached water rights were held of little value. Judge Kibbey and Judge W. H. Stillwell were of counsel for plaintiff.

About the same time Chief Justice Street heard other cases in which the same general idea was involved. On the day his decision was to be announced, the farmers, feeling sure of a judgment in their favor, paraded the streets, each man bearing a shovel or pitchfork. But the court found for the canals. However, the Supreme Court, in June, 1901, reversed the Street decision and, in the same period, sustained Judge Sloan.

In 1910 water priorities in the Salt River Valley finally were fixed by a decision, made of record March 1, 1910, by Chief Justice Edward Kent in the District Court at Phœnix. The case was docketed as "Patrick E. Hurley, plaintiff, and the United States of America, intervener, against Chas. F. Abbott

LOUIS C. HILL
Who built the Roosevelt dam

and 4,800 others, defendants." Abbott simply happened to be the first name on the list and Hurley was the representative of the Salt River Valley Water Users' Association. This suit had been brought on the advice of Counsel Kibbey and had been in progress for nearly five years. Evidence was introduced showing the date of cultivation of every plat of land within the valley. In the decree Judge Kent definitely declared that no corporation or individual may become possessed of a water right other than in the attachment of such right, for beneficial uses, to a certain plot of land. In the same decision tentatively was accepted a proposition that forty-eight miners' inches of water per annum to the quarter section should be considered a sufficient supply for the irrigation of crops, though this since has been modified and generally is considered excessive. It should be explained that in Arizona a miners' inch is defined under the Reclamation Service standard as "the one-fortieth part of one cubic foot of water flowing per second of time."

COMPLETION OF THE LAGUNA DAM

March 30, 1909, Yuma celebrated the harnessing of the American Nile, by which, in plainer language, is meant the completion of the Laguna diversion dam across the Colorado River, fourteen miles north of the city. Citizens of Yuma had provided a fête in honor of the occasion and had as specially honored guests Governor Kibbey and staff and a trainload of Los Angeles business men.

The Laguna was the first finished of the three southwestern river dams projected by the Reclamation Service. In reality it is merely a weir for diversion and not storage. It raises the river level only about ten feet, thus being little more than an artificial reef. Its total depth is only nineteen feet, retaining place upon sand and silt through its own enormous weight, for there is no such thing in the lower Colorado Valley as bedrock. Up and down stream it has a total width of 244 feet, with length from bank to bank of over 4,470 feet. It is built of loose rock, dumped between three concrete walls, capped with an eighteen-inch pavement of concrete, and with a downstream apron of large stone.

Work on this dam was begun in July, 1905, after preparations that had consumed a year. The contractors, who had bid $797,000 for the dam itself, failed and most of the work had to be done directly by the Reclamation Service. Early in 1908 there was a change in the first plans of the Reclamation Service and the main supply canal was transferred to the western side of the river. At first it was planned that the supply for Yuma should be brought by viaduct across the Gila River at a point some miles to the eastward. The total cost first was estimated at $3,000,000, though this has been about doubled, owing to extensions of the original idea. The gross sum is to be repaid by assessment on about 130,000 acres of land, which has been brought under the control of a water users' association, organized in the same manner as that of the Salt River Valley. The main canal leaves the dam on the California side and passes through the Yuma Indian reservation to a point just opposite Yuma. There the water is conducted into a siphon and is carried under the channel of the Colorado, again bubbling out on a hillside below the town and flowing away as far as the international line. The first water flowed through the siphon June 28, 1912, and the day was made one of rejoicing in the locality. Inci-

dentally, 700 Yuma Indians are to be enriched in the irrigation of 16,000 acres of their land, divided between themselves and white settlers.

As a part of the Yuma project, there had to be built scores of miles of levees, protecting bottom land of wonderful richness. It is deemed probable that in days to come the canal on the California side will need to be enlarged, to act as a head ditch for the irrigation system of the Imperial Valley.

DEVELOPMENT OF THE CASA GRANDE PLAIN

When General Kearny in 1856 at last cleared the confines of the Gila River Cañon, he saw to the westward a plain of rare beauty and of vast extent, dotted with the ruins of a past civilization and scored by the lines of ancient irrigation canals. This same plain today is known as the Casa Grande Valley, stretching southward from the Gila and westward from the Buttes past Florence, the Casa Grande ruins, Sacaton and the railroad town of Casa Grande as far as Maricopa, fully fifty miles in all. Throughout, the country generally is level, with deep and rich soil, its cultivation limited only by the water supply available for irrigation—for the rainfall of south-central Arizona is too erratic and too small in its gross annual volume for much benefit to agriculture.

On the authority of Editor Thos. F. Weedin of Florence, the earliest irrigation of the plain around his home town, dating back to 1870, was by six small ditches, the Alamo Amarillo (Yellow Cottonwood), Montezuma, Holland, Adamsville, Spines and McLellan. In 1884 was started construction of the Florence canal, into which nearly all the smaller ditch rights were consolidated. A few years later, at the cost of a bond issue of $30,000, a reservoir was built on the canal line, especially to supply lands around Casa Grande and Arizola.

Thereafter came trouble. Settlers on the upper river, in years of relative drought, diverted about all the summer flow of the stream. The canal failed to earn a sustaining income and became bankrupt. Bought by judgment creditors, it was neglected and was allowed to fill with silt. The system finally went into a receivership, from which it has been taken only lately. Naturally, development of the tributary farming country was retarded. The farmers along the Florence Canal arose in wrath and took possession of the waterway, defying the receiver of the canal company and the court that protected him. The grangers saved their crops by a proper handling of the canal and all was serene until the next term of court. Then about forty of the leading citizens of Pinal County were arrested and charged with contempt of court, assault and unlawful entry and detainer and, incidentally, were sued for $50,000 damages. For several court terms the farmers stood off the litigation, but at last had to acknowledge judgment, though it was no more severe than a perpetual injunction and a mandate to pay all costs of litigation. Now the main canal has been returned to ownership within the community and better days are assured.

For years at Florence there has been a struggle for water storage in the Gila. Keen disappointment was expressed when the Roosevelt dam was determined upon, for a dam site also was offered at The Buttes. Later The Buttes site was demonstrated unavailable, bed rock being too deep. Similar natural features caused rejection of a dam site near Riverside, but, still

LAGUNA DAM—YUMA PROJECT

Built by the United States Reclamation Service

further up-stream, at last what is considered an ideal location was found in a narrow cañon of the river, a few miles below San Carlos.

Over the San Carlos dam site arose complications due to a claim on a right-of-way through the cañon made by the Arizona Eastern Railroad Company, which sought a low-grade connection between San Carlos and Winkelman. On the basis of an understanding that water storage at the point suggested was not feasible, due to unfavorable bed-rock conditions, silt and other reasons, there was general hope in Phœnix that the railroad would secure its right-of-way. In Tucson, per contra, there was even financial support for the reservoir proposition. The discussion within Arizona having waxed too warm for the further maintenance of good will between the localities affected, the Phœnix Board of Trade, on March 25, 1911, finally suggested that the whole matter be referred to the unbiased arbitration of a board of United States army engineers. It was believed such a reference was the only one logically possible, for eminent irrigation authorities had flatly contradicted each other on the subject.

The suggestion was well received and, in due course of time, on request of the secretary of the interior, detail to the work was made by the secretary of war of three engineer officers. Their report was made public in February, 1914, and declared in favor of construction of the dam, though at a site 1,000 feet above the point where it originally had been planned. Bedrock was found within a reasonable average depth and the question of silt was considered one of relatively slight importance. The cost of an adequate dam and diversion weir was estimated at $6,311,000, in this being included heavy condemnation costs, payable to the Arizona Eastern for trackage damage to its Globe branch, and to the Interior Department, for Apache Indian agency buildings and property within the proposed reservoir's lines.

It was decided that, while much more than that area of good land was available for irrigation below Florence, the average flow of the Gila River could be relied upon for the watering of 90,000 acres, of which 35,000 should be on the Pima Indian Reservation, for the benefit of 7,000 individuals, leaving 55,000 acres to be served elsewhere. Of this about 30,000 acres on the old ditches around Florence already have prior rights. Repayment of the cost chargeable to the Indians could be assumed by the United States, while the white settlers would be assessed not over $70 an acre. As the Reclamation Service already is overburdened, a bill has been introduced in Congress authorizing construction of the San Carlos dam on the same plan of repayment as enjoyed by the neighboring Salt River Valley.

The needs of the Indians in this connection are keen. Years ago they had an ample irrigation supply, gradually lost to them by the encroachment above of white men. With power for pumping secured from the Reclamation Service works at Roosevelt, 10,000 acres lately have been added to the reservation's possible tillable area, but this method for securing water is considered impermanent and conservative Indians refuse to profit by its utilization. With an assured water supply, the Pimas of the Gila Valley would become even wealthy, for they are industrious and are possessed of skill in agriculture. following cultivation of their lands for centuries past.

ARIZONA IRRIGATION IN GENERAL

Beside the Salt River Valley, Yuma and Florence districts, irrigation in Arizona for years has been known in the lower and upper Gila valleys, and on the Santa Cruz, San Pedro and Little Colorado rivers. In the last named section $200,000 damage was done the spring of 1915 by the breaking of the improperly constructed Lyman dam above St. Johns, the disaster involving also the loss of two lives. About the middle eighties, an immense sum was spent by the South Gila Canal Company, which started construction on a great storage and diversion dam near Agua Caliente. Further up the river near Gila Bend, to cover land that had been irrigated for a time in the early seventies, materialized one of the most ambitious irrigation schemes of the Southwest, that of the Gila Bend Canal Company. A short distance below its junction with the Hassayampa, the Gila was dammed by the company, which was headed by Governor Lewis Wolfley. The dam washed out and the enterprise, renamed the Peoria Canal Company, was absorbed by the Greenhuts of Peoria, Ill., who are said to have sunk over $1,000,000 in the scheme. The plans contemplated the irrigation of about 100,000 acres of excellent land, much of it along the line of the Southern Pacific Railroad.

The upper Gila Valley has been farmed and irrigated for over thirty years from the Apache Reservation eastward almost to the headwaters of the stream.

During the past few years a Chicago corporation has spent over $1,000,000 in the purchase of lands along the Santa Cruz and in the installation of an irrigation system that has served to add a considerable farming community within a short distance of Tucson.

Near Prescott a similar enterprise has placed a concrete dam across Granite Creek and is reclaiming a large expanse of land north of Granite Dells.

Probably the first hydro-electric power system in Arizona was that of the Consolidated Canal Company, which in 1899 secured a right to carry Tempe Canal water over the thirty-five-foot Mesa bluff, thus generating several hundred horse power. This power plant has been absorbed by the hydro-electric system of the Reclamation Service. Of importance to the mining industry of Central Arizona is a hydro-electric plant on Fossil Creek, where a comparatively small volume of water tapped at a great height produces electric current to supply the needs of Prescott and all of the principal mines of Yavapai County.

Only within the last few months has a start been made to utilize the enormous power that is wasting in the Grand Cañon of the Colorado. The initial unit of what may become the largest power producing plant in the Southwest is now under construction at the foot of Diamond Cañon, north of Peach Springs.

COWBOYS OF NORTHWESTERN ARIZONA
Joseph T. Woods; Nigger Jeff; Nat Greer; Hi Hatch; Albert F. Potter

CHAPTER XXXVI

THE LIVE STOCK INDUSTRY

Cowboys, Typical and Otherwise—Stocking of the Arizona Ranges—Sheep and Their Faithful Shepherds—Antagonism of the Two Stock Divisions—Elk Imported from Wyoming—Rise and Decline of the Arizona Ostrich Breeding Industry.

The cowboy of Arizona is often a composite character. To the east and to the west of him the range riders preserve a uniformity of style and trappings, but not so the cowman of the "Sun Kissed Land." His saddle may be "Colorado," his cinch "Texas," his bit "Mexico," and his riata "California." Still the eyes of the cattlemen are keen in all things and the locality of a newcomer is soon determined, and infallibly by a rapid glance at the equestrian trappings of the stranger.

Unfettered by a social code, free to roam a boundless expanse of mountain and plain, it is remarkable that the land knows no more conservative individual than the "cowboy." His ideas are fixed at the outset of his career and rarely, if ever, changed. If he hail from Texas, mark you the characteristics of his "rig." A long, low-cantled, broad-horned saddle, loosely strapped to his pony by a double cinch, with buckles on the "latigo" straps. His bit will be a rather light concern, possibly reinforced by a "hackamore," and his "rope" will probably be either hemp or Mexican grass. And especially should be noted the fact that "tapaderos" are never seen. Now, hitch up the stirrups until the knees of the rider are somewhat bent and you have the "rig" that a Texan most delights in.

The Californian despises Texas methods and puts his forty pounds of leather upon a horse's back in a very different shape. The saddle is higher and the "tree" broader, and the stirrups are so hung that the rider sits upon his animal in true clothespin fashion. Tapaderos are deemed a necessity and are often so long as to nearly sweep the ground. A single broad cinch is used, the girth strap being dexterously fastened by a slip knot. The headstall is usually an elaborate affair and the bit a heavy one, of the "ring" or "half-breed" patterns. The "lariat," as he terms it, is made of braided rawhide or calfskin and is the pride of its possessor.

These peculiarities are marked and unalterable. There can be no argument as to their respective merits, and each class of cowmen looks at the other with the same distrust and contempt that would be given a "tenderfoot."

As regards the horses, fully as broad a difference exists. The California "mustang" comes of proud lineage and, really, it would be difficult to find elsewhere, grander saddle horses for rough usage. A matured animal often is put

to the strain of 100 miles' travel in a day, without injury. The mustangs are commonly tall, "rangy" animals, "buckskin," gray or "pinto" in color. They are broken when several years old and well experienced must be the vaquero who mounts them upon this interesting occasion. The exhibition of bucking, rearing and general cussedness given at the debut of a mustang is truly phenomenal; but through it all he comes unscratched, tough, willing and speedy.

The Texas pony or "bronco" is somewhat undersized, fairly docile in temperament, and is of Mexican origin. He is thick-legged, strong and hardy, and if not as available as the mustang, has the doubtful advantage of being held at only half the price. In Arizona the Texas pony predominates.

The cattle district of Arizona embraces the whole eastern half, and in this vast expanse the cowboy flourishes. But let me hasten to note, he is not the "wild and woolly" specimen that the eastern comic papers picture. You will find him an honest, hospitable sort of a fellow, not averse to whiskey, yet rarely intoxicated. A large portion of the livestock of the state is made up of small holdings, and upon the large ranches none but sober, steady men are wanted.

HOW CATTLE WERE BROUGHT INTO ARIZONA

The cattle rearing industry of Arizona has had many ups and downs, what with drought and with the necessity for feeding a large part of the Apache people. The rich grasses of Pimeria early caused the importation of cattle from Mexico. As early as 1770 is a record that tells of great cattle increases and of the depredations of the Indians, who drove off the herds and killed the herders. But around 1820 a number of great ranchos had been established, mainly in the upper San Pedro and Santa Cruz valleys, where yet are to be seen the ruins of large haciendas. By 1843 the Indians had become so bold that the last of these haciendas had been abandoned and the population of the region had been concentrated in the walled presidios of Tucson and Santa Cruz. Large herds of wild cattle were encountered on the San Pedro by the Mormon Battalion in 1846. A rather better grade came after 1849, with the California goldseekers, whose cattle often gave out on the arduous journey.

Bill Kirkland claimed that he was the first American to bring a band of cattle to Arizona, to the old Canoa Ranch, forty miles south of Tucson, in 1857. The stock was bought in Sonora. According to Colin Cameron, in 1864 the only domestic cattle were forty head of cows at Tucson, owned by Wm. S. Oury, and the same number in Williamson's Valley, near Prescott, owned by a man named Stevens, these guarded by armed herders and corraled every night. A large number of cattle and sheep came with the Northern Arizona military parties of 1863, brought for food. For this same reason, in 1866, cattle were driven from California by one of the Bannings and in succeeding years there were drives from Texas by Hooker & Hines, who were beef contractors supplying Government posts. In 1868, H. C. Hooker unsuccessfully tried to turn cattle on the range in Williamson Valley and in the following year tried to hold 4,000 head near Camp Crittenden, but the Apaches were too bad at both points. The latter band had to be wintered in the Papago country, 100 miles southwest of Tucson, where the friendly Indians took toll of 400 head and for a time "lived high." In 1872 Hooker's firm supplied 15,500 head to the posts, or in unwilling contributions to Apache appetites.

ARIZONA CATTLE ON PASTURE

ARIZONA CATTLE ON THE RANGE

In 1873 was the real modern start of the grazing industry of Arizona. Yet in 1877, according to Geo. W. Atkinson, interviewed by Col. Allen T. Bird of Nogales, "when he came to this region and located at Calabasas in 1877, there were but three herds of cattle in these parts. One was owned by Doctor Benedict, who was located at Guebabi, on the Santa Cruz, a couple of miles below the present site of the municipal pumping plant; another was owned by Pete Kitchen, whose headquarters were at the place known now as the Saxon Dairy Ranch, about five miles north from Nogales, on the road to Calabasas; and the third was owned by the late Sabino Otero, who lived at Tubac, and his cattle ranged in the hills on either side of the valley. In those days cattle were so few, and feed on the range so abundant, that farmers never considered it necessary to fence their cultivated fields, and produce of all kinds was raised along the Santa Cruz without fencing the lands at all."

The present practice of fattening range stock was started in 1887 by the Hooker and Vail interests, when the railroad was completed into the Salt River Valley and its alfalfa fields, which since have turned off up to 50,000 head of beef cattle a year. The great drought of 1892-3 showed the cattlemen how grievously the ranges had been overstocked. Several varieties of the native grasses, once standing as high as a horse's back, had perished through over-grazing, though, in the wool of the sheep had been brought from California the seed of the alfilaria (fileree), now one of the most valuable and most widely spread of Arizona's forage plants.

Arizona has taken pride in her comparative immunity from the live stock diseases of Texas and other states around her. This has been due almost wholly to the efforts of the Live Stock Sanitary Board, which was established in 1887, with A. J. Chandler as veterinarian. Will C. Barnes, who led the board for a number of years, latterly has been in congenial employment with the grazing section of the forestry division of the Agricultural Department at Washington. Colin Cameron for years was a notably efficient member. From 1893 for many years the veterinarian was J. C. Norton of Phœnix.

INTRODUCTION OF SHEEP

Marco de Niza in 1539 had something to say of the possession of sheep by the natives of Cibola, but probably was mistaken, unless mountain sheep then had been domesticated. In 1775 Padre Font wrote of the Pimas: "They own some large sheep, whose wool is good, and also Castilian fowl."

Protected by the peaceful, sedentary Indians of the Rio Grande Valley, sheep raising had an early start in New Mexico and rapid development, the herds furnishing their owners with clothing, as well as food. Carson and other pioneers drove sheep from the Rio Grande to California, to feed the Argonauts. Bartlett wrote that in 1852 there had been lost near Yuma, stolen by Indians, a band of 4,217 sheep, owned by Joseph White, started from Sonora for California. Near Tucson Bartlett met an American headed for California with 14,000 head of Chihuahua sheep. But none of these remained with the country.

The first sheep raising within Arizona was by Navajo and Hopi Indians, whose bands were seized and slaughtered by the soldiery of the Civil War period, who thus brought the redskins into a state of comparative peace, befitting a people of property. In 1874 Felix Scott brought New Mexican sheep into the Little Colo-

rado River Valley, and in the following year some Navajo sheep were taken by Frank Hunt into Yavapai County. In 1876, according to a rather uncertain item, one Robinson drove 2,000 sheep into Tonto Basin and in 1878 Wm. H. Hardy had 3,000 Angora goats on his Mohave County range.

Really the pioneer sheep raiser of Arizona, however, was John Clark, now a resident of Flagstaff, still interested and prosperous in the live stock industry. In 1875 he started from Kern County, California, with 5,000 head of sheep. He lost over half of the band in a California snow storm, with the remainder crossing the Colorado at Hardy's Ferry on December 7. The winter was spent on the Big Sandy, but in the following spring a better and permanent range was found in what is now Coconino County, near Bill Williams Mountain. Soon thereafter he had a neighbor, William Ashurst (father of the present senator), who brought a large sheep band from Nevada.

In the early days of the sheep industry there was incessant war with the cattlemen. Wandering sheep bands from New Mexico, herded in to consume the summer grasses of Arizona, were turned by force at the crossing of Cañon Diablo. There was the same opposition when Northern Arizona sheep were started southward into the Tonto Basin and the valleys of Central Arizona. Something of this is told in this volume in the chronicles of the wilder days of the territory. When the forest reserves were established, with their regulations and limitations, there was general protest from both ends of the live-stock industry. In practice the reserves have proved a blessing. Overstocking is prohibited, prior rights are protected, and, best of all, definite zones of occupancy have been established, as well as legal driveways, over which sheep may be sent southward in the fall, through the cattle country, to winter and lamb and to be sheared on the warmer plains.

THE FAITHFUL SHEPHERD

The long-continued fight between the western cattlemen and the sheepmen now forms a study for the psychologist as well as for the economist. There was little in common between the two industries. Cattle and sheep could no more occupy a range in common than oil and water could flow coherently, so the cowpuncher hated the sheepherder with a hatred that was deep and intense, and the shepherd girded himself with artillery and sullenly stood on the defensive. The difference between the habits of the two classes of live stock is broad. Cattle are home-keeping and hard to lose, for a range cow will make her "run" where she was born. Drive a cow away even a hundred miles and back she will drift, although it may be to starve and to die. Sheep, on the contrary, necessarily are nomadic, gregarious, bunching by instinct, and can be handled in bands of even four to six thousand, though half the larger figure is usually preferred.

The sheepherder socially has a lower place than the cowboy, though more often than not he is better paid, more saving and more prosperous. As a rule, he is a foreigner in Arizona, a Mexican, Frenchman or Basque. The American is too nervous to stand the life of a shepherd. He cannot endure the monotony, the necessary separation from humanity, with only a dog for company for months at a stretch. To the credit of the sheepherder may it be said that he is rarely unfaithful to his flock or its owner. There is nothing poetical about him, but he will risk his life for the safety of a lamb. He is much quieter in type than the

ARIZONA SHEEP ON WINTER RANGE

JOHN CLARK
Brought the first sheep into Northern Arizona

cowboy, even when in his cups. In the "open" days of Arizona after the wool had been clipped and all hands were in town for a little fling, he had no wild yearning for shooting holes in the firmament. He is happiest on a sunny hillside, lying at ease where he may overlook his flock and hear the ceaseless voicing of its lamentation.

ELK AND OSTRICHES

A herd of seventy-nine elk was turned loose in the forested mountains south of Winslow in 1913, the animals brought from Wyoming at the expense of the Arizona Order of Elks. Protected by law, they have prospered in their new location and few have been killed by Indians or the casual hunter. When the white man first came to Arizona elk were plentiful in the forested North, but had been extinct for years before this importation. In the same region were large bands of antelope, a game animal now rarely seen. It is given protection in all seasons. Also protected are mountain sheep, which once were known in almost all parts of Arizona.

It is told that the first breeding ostriches brought to the Western Continent came in 1882. The first brought into Arizona, other than in menageries, were purchased in California in 1888 by M. E. Clanton from the Cawston Company. They were twenty in number, but only two survived the trip. In 1891 the first ostrich was hatched in Arizona, the property of Josiah Harbert, who in 1896 had a flock of 123 birds. A few ostrich farms outside of Arizona were bought and the Arizona holdings increased, till in 1914, upon a half dozen farms, there were at least 6,000 ostriches in the Salt River Valley. About the time of the start of the European war it was definitely decided that the industry was unprofitable and the birds of the largest farm were offered for sale at prices that ran down to $5 a head, though held at $200 a head only the previous year. Through this sale ostriches have been placed on scores of Arizona farms, where they are handled under about the same conditions as fenced cattle. Indeed, they are listed as live stock for purposes of assessment. In 1914 and for several years theretofore a claim was made that within the Salt River Valley were more ostriches in confinement than known elsewhere in the world outside of South Africa.

HOW THE HONEY BEE CAME WEST

While honey is a valuable product of the agricultural valleys, the mountains of Arizona now abound in bees. In hollow trees are to be found the Italian or hybrid Italian type and in caves the little black bees, Kipling's "little people of the rocks." There can be no doubt that the yellow bees are escapes from the valleys, but it is possible that the black bee is as indigenous to the country as is the rabbit. This is not believed by scientists who have studied the subject, though it has been stated that about 500 varieties of the genus apis have been found in Arizona and New Mexico, mainly in the mountains of the latter state. Bees were taken to Texas as early as 1820 and in 1845 trappers found honey in the rocks near the San Carlos River of Arizona. Several hives of bees were brought to Prescott early in 1864 by Joseph Ehle and wife. Around 1879 hives had been taken into the Salt River Valley and in that year J. B. Allen of Tucson brought two swarms from San Diego.

CHAPTER XXXVII

MORMON COLONIZATION

The Church a Great Pioneering Force—John D. Lee Long a Refugee in the Grand Cañon—Settlements in Northern Arizona—Missionary Work of Jacob Hamblin—Founding a Stake in the Little Colorado Valley—Communities Established at Lehi, Mesa, Saint David and on the Gila.

The Mormon Church (the Church of Jesus Christ of Latter Day Saints) probably was the greatest pioneering body the world ever has known. Like the Pilgrims of old, its leaders sought a home in the wilderness wherein they might not be hampered in the exercise of their peculiar religious beliefs and wherein they could found colonies of the proselytes that were expected, and that, indeed, did come. Brigham Young, a very level-headed sort of individual, early determined upon a spread of his faith southward by means of colonization and it would appear that at one time there was an ill-founded hope that in Mexico the faith might be extended materially. Wherever possible he made friends with the Indians, the Lamanites of the Book of Mormon, and his missionaries even succeeded in converting some of the redskins.

The Mormon occupation of Arizona has included many former residents of Southern Utah who in early days were sent by the church as colonizers to various parts of the Southwest. In 1851, C. R. Hakes, later president at Mesa, and President Flake were members of a party of 100 families that settled in San Bernardino, Cal., where some of the original settlers still reside. They were led by Chas. C. Rich and Amasa M. Lyman. The latter's son now is president of the Mormon Apostles. They settled on the Lugo ranch of nine square leagues, for which they paid $77,500. To this sum 10 per cent was added for deferred payments and the total sum rose eventually to $140,000. They remained in peaceful possession till December, 1857, when Riley Morse, one of the brethren, came post haste from Sacramento with the news that 200 mounted vigilantes were on the way southward to run the Mormons out of California. The Mormons, not wishing to fight, almost immediately took the back track and at least 400 of them in December started for Utah, leaving not over twenty families behind. On learning this, the Californians returned to their homes. Probably a score of these San Bernardino pioneers later came into Arizona.

JOHN D. LEE IN THE COLORADO'S CAÑONS

The cause of the California anti-Mormon outburst was the Mountain Meadows massacre, which occurred September 11, 1857. The affair itself has

no place in a volume of Arizona history, but has a connection through the fact that much of twenty years thereafter Northern Arizona was the hiding place of John D. Lee, leader of the white and Indian assassins of the 125 men, women and children ambushed in Southern Utah. Lee's Ferry, the only available crossing of the Colorado River in Northeastern Arizona, was named after Lee, and there is still standing in a cañon below a stone cabin occupied by him for a number of years. The time of himself and a number of followers largely was occupied in the washing of gold-bearing bars. Lee, sometimes known as Doyle (his middle name), was a veritable pioneer in Grand Cañon exploration, and it is known that he traveled for many miles through the abysmal gorge and that he remained for months or even years at different points in the main cañon and in Kanab Wash, which branches northward into Utah. Several of his wives accompanied him on his exile and were scattered around at his various hiding places.

For at least three years, Lee lived with the Havasupai Indians, in the bottom of Cataract Cañon, which at the time had been visited by few whites. He is credited with planting the first fruit trees known in the valley and with teaching the Indians much in the way of agriculture. The Powell party, in the summer of 1872, found Lee tilling a little farm on the Paria, a short distance above the Colorado. At the time, Lee told Dellenbaugh that he had tried to stop the Mountain Meadows massacre and when he could not do so he went to his home and cried, and that the Piutes ever afterward called him "Naguts," or "Cry baby."

Lee finally was captured while visiting one of his families at Panguitch, in Southern Utah, and he was legally executed, by shooting, March 23, 1877, on the spot where his crime had been committed.

The execution was witnessed by Mr. Hakes, who knew Lee well, and who very lately has contributed some sworn evidence in opposition to the general understanding that the massacre had been with the sanction of the Mormon Church, and that Lee and his party later had been defended by the Mormons. Curiously enough, this evidence, though in the hands of the Mormon authorities as early as July, 1907, has not been used, as the Apostles seem to prefer to let the awful memory die. The white men engaged in the massacre were members of Mormon communities and were assumed to have been communicants of the Mormon Church, but the church has denied throughout that it had any responsibility for their action. President Brigham Young, referring to it, said that Lee and his confederates had "planned and executed that terrible deed without asking counsel or advice from Brigham Young or the Mormon Church, and he knew nothing of it until it was too late to stop it. They had done it on their own responsibilities and the results are on their own shoulders, for I say to them, and wish the whole world to hear it, that Brigham Young or the Mormon Church will never come to their aid in avoiding the consequences of their crime."

Mr. Hakes came closely into the affair the day before Lee's arrest, which he had privately learned from his brother-in-law was planned by the United States marshal. Hakes took the news to Brigham Young and other church dignitaries, who happened to be at the nearby Town of Parowan. The president called the senior members of his party together and asked for sugges-

tions. None were offered. If he had been given the word, Hakes was ready to ride across the mountain and warn Lee, that he might again take refuge in his cañon haunts. But the Mormon head, failing to receive any advice, turned and said, "Brother Hakes, we thank you for this information, but it is all right, for the time has come when they will try John D. Lee and not the Mormon Church. That is all we have ever wanted. Go to bed and sleep, for it is all right."

At the execution, Lee arose from where he had been sitting on his own coffin and said only a few words, that he had no fear of death and had only one deep regret, that he left his wives and children on the mercy of a cold world, but he added, "There are Brigham Young, George A. Smith and Daniel H. Wells, leaders of the Mormon Church, with whom I have been acquainted all of my life. I have traveled with them and stood guard over them. I have kept them at my house and I have been with them at their homes. We have been the most intimate of friends. Now, in my time of trouble they do not come to comfort me."

MISSIONARY EFFORTS IN ARIZONA

Soon after the western exodus of the Mormons, scouting parties of the Saints were sent in all directions from Salt Lake. One of the parties, with a strong missionary trend, in 1846 visited the Moqui villages, but it is told received about as inhospitable a greeting as had Padre Garcés, and soon returned northward. A Mormon settlement was at Tubac in 1852, but left when its irrigation supply dried up.

According to Historian Andrew Jenson of the Latter Day Saints, the first Mormon settlement in Arizona was made by Anson Call in 1865 on the Colorado River. Callville's location now is in Nevada. In the same locality in 1868 the Mormons settled Fort Thomas. A few years thereafter was established Fredonia on the Kanab Wash, on the very northern border of Arizona.

One of the leaders in the settlement of Northern Arizona was Jacob Hamblin, who, though poor and of no high rank in his church, yet seemed an especially trusted agent of President Brigham Young, who sent him in the fall of 1858, with a party of twelve, to find if there might be a missionary field among the Hopis. Members of the party were Indian, Spanish and Welsh interpreters, the last considered necessary, for a report had come that there were evidences that the Indians were of Welsh extraction. This and a similar visitation the following year found the Indians not in receptive mood. On a trip led by Hamblin in 1860, the Navajos killed one of the party, Geo. A. Smith, son of one of the Mormon presidents. In the fall of 1861 Hamblin helped in the founding of Saint George in Southwestern Utah and from that point, two years later, was sent again to the Moquis, crossing the Colorado below the cañon and returning, by the Ute crossing, with three Hopis, who were taken on to view the glories of Salt Lake. Returning with his Indian visitors, Hamblin left Saint George in March, 1863, by the western route, taking the Garcés trail through Cataract Cañon, where they assured the resident Indians they would lead no one else into the gorge.

In 1870 and 1871 Hamblin was of service to Major Powell in his surveys around the cañon and went with Powell to a great talk in which 6,000 Navajos

ANDREW KIMBALL
President of St. Joseph Stake

FRANCIS M. POMEROY
One of Mesa's founders

C. R. HAKES
Former president of Maricopa Stake

LEADERS OF THE MORMON SETTLEMENT

participated. Four years later Hamblin, while on a peace mission to the Navajos, who had, in error, charged to the Mormons the killing of several of the tribe, was in serious danger, during an eleven-hour session within a council lodge, but escaped by his own argument and with the respect of the chiefs.

In the winter of 1873, Hamblin laid out the wagon road now used from Lee's Ferry to the San Francisco forest and in the spring guided to Moencopie the first unit of 100 wagons, owned by a company that had been sent to settle on the Little Colorado or on the Gila. Hamblin remained at Moencopie, to plant vegetables and soon witnessed the return of all the emigrants, who had become demoralized and had turned back before they had passed the desert into the forested country beyond. On the Moencopie, in 1877, was established a Mormon settlement called Tuba City, named after a friendly Hopi, who had traveled much with Hamblin. Substantial good was planned for the Indians by John W. Young in the establishment in 1879 at Moencopie of a woolen mill, to be run by water power, whereat were to be worked up the fleeces of the Moqui and Navajo herds. The mill was well equipped, with the best type of machinery of the day, but the Indians seemed to prefer their own hand looms and little wool was brought in. The old stone mill still stands at Tuba, but the Mormons are gone, for the reservation has been extended to the Colorado River. The settlers were bought out by the Government and their holdings made into a farm for a large Indian school.

Not discouraged by failure, the church authorities started a more sturdy expedition southward in 1876. Covering this, nothing at hand is better than an article contributed by R. E. Porter, now a resident of Saint Joseph, Navajo County:

At a meeting held in Salt Lake City in January, 1876, four companies, consisting of about fifty men each, besides the families of such as had families and chose to bring them along, were organized, with Lot Smith, Jesse O. Ballinger, George Lake and Wm. C. Allen as captains. These companies began their journey early in February, and on the 23rd of March, 1876, the lead teams reached Sunset Crossing of the Little Colorado River at or near the place where the A., T. & S. F. railroad now crosses that stream, about two and one-half miles east of the present City of Winslow.

On the day following, the companies, led by Allen, Smith and Lake, proceeded some twenty miles farther up the river. Allen's company, which settled Saint Joseph, camped on the site of the present town of that name on the night of the 24th.

It was decided at a council held here that Smith should go back as far as Sunset Crossing; and his company settled the Town of Sunset, some three miles north of that crossing and on the north side of the river. Allen's company first settled about five miles east of the present Town of Saint Joseph; but in a short time, moved to a place about one mile east of the present location, where the town now stands. This settlement was at first called Allen; but in February, 1878, the name was changed to Saint Joseph.

Lake's company settled about three miles south of Saint Joseph on the opposite side of the river and named their settlement Obed. It was located near some marshy land and because of the prevalence of chills and fever, broke up in 1877, the inhabitants scattering among the other three colonies.

During the winter of 1876-77, these four settlements all constructed forts for their protection against the Indians. At Obed, the outside walls of the fort were all constructed of rock. In the other three settlements, the forts were for the most part of the stockade type, constructed of cottonwood logs obtained from the river bottoms.

Considerable trouble was experienced by these settlements in controlling the waters of the Little Colorado for irrigation purposes—Saint Joseph built a new dam in that stream every

year from 1876 to 1891, inclusive. The dam constructed during the latter year proved sufficiently stable to withstand the impact of heavy floods and is still in use.

During the first few years, all these settlements adopted the communistic system of living, the division of labor in each settlement being arranged by the leaders or managers.

Of these four settlements, Saint Joseph alone has remained permanent. The greater part of the inhabitants of Brigham City left during the fall of 1880, most of them moving to the Upper Gila Valley in Pima County and nearly all the remainder, during 1881, moved further up the Little Colorado, joining with other settlements which had been made in Eastern Arizona. Sunset was abandoned about 1885, many of the settlers leaving as early as 1883.

In 1878 the Village of Snowflake was founded by two sturdy Mormon families from Utah, those of W. J. Flake and Erastus Snow. The name evolved itself as a matter of course. The site had been the headquarters of the cattle ranch of James Stinson, who accepted $11,000 for his land, 550 head of cattle and control of water rights in Silver Creek. Snowflake now has about 800 population, and along Silver Creek is a total population of about 2,000, nearly all Mormons. Flake also was a pioneer of California, going in 1851, a member of a Mormon party that purchased the present site of San Bernardino. Another member of the party was the present bishop at Snowflake, John Hunt.

In the same general section is Show Low, which has a name that needs a bit of interpretation. It is on ground once controlled by Captain Cooley and Marion Clark, both of whom were devoted to the game of "seven-up." At a critical stage of one of their games, when the stakes had risen to include about all the property of the players, Clark exclaimed, "Show low and you take the ranch!" Cooley showed "low." The same ranch was later sold by him for $13,000 to W. J. Flake.

The agricultural valleys of Apache and Navajo counties today are occupied almost wholly by Mormon farmers, industrious and frugal, and thereby prosperous. Saint Johns, once Mexican, now is a Mormon center, with a large denominational school.

SPREADING INTO SOUTHERN ARIZONA

One of the first expeditions southward was led by Daniel W. Jones, one of the elders of the church, who had spent some years in travel in Spanish-speaking countries and who had a good working knowledge of the Spanish language. There had been a scouting party a couple of years before that had traveled down through Arizona and that had returned with the general report that the country was practically uninhabited and open for settlement. Jones' expedition left Nephi September 10, 1875. Crossing of the Colorado was at Lee's Ferry and thence the way led through the Moqui and Navajo country to the Little Colorado, whence the way was plain to Prescott and southward. The party camped near Phœnix and the next day traveled eight miles up stream to Hayden's mill, near which camp was made on the Winchester Miller ranch. The Mormons were welcomed by Chas. T. Hayden, the patron of the settlement and owner of the little cross-roads settlement and of much of the country around. They traded him a number of pack mules for light spring wagons and resumed their pilgrimage toward the southeast. Passing through the Pima Reservation, a church historian tells that they made a number of converts. Tucson was passed and the eastward way was maintained until at Fort Bowie the journey bent southward into Mexico. It would appear that little success attended this Mexi-

can trip, for late in 1876 the party was back in Utah and Jones had reported to his superiors.

In January, 1877, under orders from the church, Jones led a second expedition of seventy-one members. Tempe again was reached and, on recommendation of Winchester Miller, the party settled on Government land a few miles above Hayden's, near the river, around what now is the Village of Lehi. The settlement at first was known as Camp Utah and even yet is spoken of by old-timers as Jonesville. A small canal was dug from the river, with the assistance of a number of Indians, mainly Pimas, some of whom became converts. When the Indians wished to settle among the Mormons, there was a schism. Jones welcomed the Indians, but the larger number of the settlers did not and, led by P. C. Merrill (adjutant of the Mormon Battalion), moved to a new location on the San Pedro, where they established the settlement of Saint David. The Indians claimed a share of the water in the Utah ditch, but their aspirations toward land ownership finally were settled by their establishment upon a reservation of their own, north of Lehi. Jones died in Lehi in April, 1915. One of the early leaders was Henry C. Rogers, who reached Lehi March 6, 1877.

In 1878 a correspondent of the Prescott Miner wrote in praise of the work of Mormon settlers who had established a colony near "Maysville," on the present site of Lehi. He told: "The work done by these people is simply astounding. The alacrity and vim with which they go at it is decidedly in favor of co-operation or communism." The correspondent was given a rather fantastic idea of the intention of the settlers, for he tells that their settlement was to be within a mile square, enclosed by an adobe wall about seven feet high, in the center a square around which are buildings fronting outward.

THE FOUNDATION OF MESA

A second expedition of seventy-nine members started from Paris, Idaho, late in 1878 under G. W. Sirrine and F. M. Pomeroy, moved by climatic conditions. The journey was made with little hardship, except from cold weather, and the party arrived without particular incident at a point northeast of Camp Verde. Thence a committee was sent southward to look up a site for permanent settlement. Jonesville was visited by the committee, but, unable to come to terms with Jones, it was induced to look into the possibilities of farming on a nearby mesa. The rest of the company arrived February 14, 1879, and work was started at once upon an irrigating canal. One feature that had determined the leaders of the new colony was the fact that the remains of an ancient canal were found leading out to the river to the very land on which the settlement was to be placed. This canal was cleaned out and deepened and the gradients of the ancient engineers were proven good. At the time it was estimated that utilization of this old canal had saved the Mormons at least $20,000 in the cost of excavation. Mesa soon outstripped her older neighbor, which today is a village. Mesa now is the second town in the Salt River Valley, in the midst of one of the richest and most carefully cultivated sections of the Salt River Valley.

A part of its present Mormon population originally settled at Tempe, but later moved on lands west of Mesa. The Mormon element of Mesa now probably numbers less than half the population and, though still strong in the faith, no longer itself forms a concrete community. For many years Mesa ranked as the

richest colony of the church and from it have gone many missionaries and a considerable number of pioneering bodies into Mexico and various southwestern sections.

Soon after the Maricopa Stake of Zion was formed in 1879, Alexander F. Macdonald, an energetic Scotchman, was sent from Utah to be its president. A broader field was found for him in 1885 as president in charge of the Mormon colonies in Chihuahua. About that time there was a hegira of Mormons from Arizona into Mexico, driven out by Federal prosecution, this one fact largely accounting for the number of Mormon colonies in Sonora and Chihuahua at the time of the outbreak of the Mexican troubles, following the deposition of President Diaz. President Macdonald died of Bright's disease at Colonia Dublan, March 21, 1903. He was an orator of wonderful force, persuasive powers and memory and is worthy of a place in church annals as a pioneer missionary of the highest type.

Another notable Arizona Saint was Benjamin F. Johnson, who died in Mesa in 1905, aged 87 years. A New Yorker, he had been a member of the church since 13 years of age and had been closely associated with the prophet, Joseph Smith. He was leader of the Mormon party that settled at Tempe. His eighty-seventh birthday, celebrated only three months before his death, had been made the occasion of a popular gathering whereat he blessed the attendants in the manner of a patriarch of old. It is understood that Johnson had at least seven wives and forty-two children and at the time of his death his posterity was said to include about 800 individuals. Scores of children and grandchildren are today resident in Arizona and are rated among the best of her citizenship.

Geo. W. Sirrine, generally known as the "Father of Mesa," died in his home town in September, 1902, aged 85.

SETTLEMENT OF THE GILA VALLEY

Within Graham County, including the Gila Valley, possibly a majority of the residents today are followers of Joseph Smith. The first, headed by Jos. K. Rogers, came in 1879, a small colony which had been unsuccessful on the lower Little Colorado and which found a tract of land of remarkably fine character in the vicinity of the present Town of Pima, which first was known as Smithville. It was then in the midst of a dense mesquite forest, which had to be cleared away before crops could be planted. The farmers at first also were handicapped by a necessity for digging a long canal from the river.

Thatcher, three miles west of Safford, was laid off by Stake President Christopher Layton in 1886 and now is the administration point for the Mormon Stake of Saint Joseph. The name of the pioneer president, who died in 1898, has been perpetuated in the suburb of Layton, near Safford. President Layton's memory is honored yearly on the anniversary of his birth. At a reunion lately held in Pima, there was announcement that the pioneer was survived by three wives and, including those married into it, that the family then embraced exactly 594 individuals. President Layton was one of the most remarkable men ever known on the frontier. He first came to the Southwest in the Mormon Battalion. He had remarkable powers of administration, shown both by his conduct of church affairs and by his personal success in business, though handicapped by almost entire absence of "book learning."

D. K. UDALL
President of St. Johns Stake

ALEXANDER F. MACDONALD
Former president Maricopa Stake

JESSE N. SMITH
Former president, Snowflake

LEADERS OF THE MORMON SETTLEMENT

Thatcher, the location of a large academic school, now is considered the head of the administration of the Church of Latter Day Saints within Arizona, under President Andrew Kimball of Saint Joseph Stake. The denomination, once separate and isolated by its own preference, latterly has shown the fullest desire to join with the Gentile population in everything that leads toward the betterment of moral and civic conditions within the commonwealth.

FEDERAL AND TERRITORIAL PROSECUTION

The years 1882-5 were sad ones for the Mormon people of Arizona. Not only were they prosecuted generally for "unlawful cohabitation," but they were practically disfranchised by an act of the Territorial Legislature that shut out even believers in the practice of polygamy. In Apache County there arose a feud, the Mexicans, led by Americans, relied upon to force the Mormons from the locality. Mormon town lots in St. Johns are said to have been seized without warrant of law and for a while Mormons there lived in dread of assassination. There is said to have been even a movement to capture and mistreat Brigham Young, Jr., and F. M. Lyman, Mormon Apostles who were on a church visitation within Northeastern Arizona.

The Thirteenth Legislature passed an act disfranchising polygamists and permitting challenge of any person accused of membership in any order or sect that countenanced plural marriage. This act seems to have had little consideration, as election officials in Mormon communities generally were of the faith of the majority. Governor Zulick two years later warmly defended the Mormons and called upon the Legislature for repeal of the law, as affecting opinions and not merely acts. The matter seems to have been settled by merely leaving out any reference to it in the Revised Statutes of 1887. This action, according to Governor Wolfley (Report to the Secretary of the Interior, 1889), followed a switch of the Mormon votes to the democratic party. Governor Wolfley urged that Congress disfranchise all Mormons, claiming that, "Morally and politically, they are an unwelcome and dangerous element." Acting-Governor N. O. Murphy in his report for 1890, possibly also on political grounds, stated his belief that the influence of the Mormon Church was "vexatious" and asked of Congress a "test-oath" law, similar to that known in Idaho.

CHAPTER XXXVIII

THE LAW OF THE FRONTIER

Popular Administration of Justice at Many Points—Phœnix as a "Wild West" Town—Globe's Hanging Tree—The Bisbee Massacre—Heath Lynching at Tombstone—"Bad Men" and Frontier Sheriffs—Commodore Owens—Pete Gabriel and Joe Phy.

In the early summer of 1879, Phœnix was the supply point for the whole of the north-central territory, including rich mining districts which then were in a state of almost feverish activity, with hundreds of prospectors exploring the hills. The Southern Pacific Railroad had stopped construction work at Casa Grande, and a large representation of its camp followers had gravitated to Phœnix.

The town then had about 1,500 inhabitants, about half of them Mexicans. There was a semi-organized vigilance committee, composed principally of farmers. This body had done some good work in the past, but seemed to sleep in the period under view.

Men were wounded and killed till "a man for breakfast" no longer was interesting. The Semi-Weekly Herald seldom gave more than a half-column to a murder. Gilmer, Salisbury & Co.'s stage line furnished communication with the railroad, at old Maricopa station, twenty-eight miles distant. The coaches were held up by "road agents" about twice a week; even "old man" Stewart and the famous messenger Gilson were obliged to throw up their hands on several occasions. Billy Blankenship tried to hold down the "agents" once and had his hands filled full of duck shot for his pains.

Race jealousy, too, ran high. One manifestation of it was rather dramatic. Sunday horse races on the main street were an important feature. One May Sabbath day, about half the population was stretched along Washington Street, in two long lines, pressing toward the street center, looking westward to see the start of two racing ponies. Down the course a horseman came galloping, apparently to clear the way. But the fellow was running "amuck." In his hand was a long cavalry saber, with which he was savagely slashing right and left, as he yelled, "Muerte á los Gringos!" ("Death to the Americans!")

He dashed down the line and escaped before the crowd had fully comprehended his murderous mission. A half dozen people were wounded, two of them seriously. The "Saber-Slasher," as he was thenceforth termed, was followed far down into Sonora by a courageous officer, captured and brought back and lodged in jail in Phœnix, to await the results of the wounds he had inflicted. He made a break for liberty, with the assistance of a mesquite club, and was

killed by Attorney Stephenson and Jailer Hi McDonald, in pure self defense. The Mexican population chose to regard the killing as murder, and on an August evening a large number of "paisanos" began to display decidedly wicked tendencies. Nearly every one seemed to be armed with a pair of primitive horse pistols. All things pointed to trouble on the morrow. Messengers were therefore hurriedly dispatched to all parts of the valley, to assemble the vigilantes.

The week preceding this day had been rather a lively one, even for a lively town. There had been six killings, including two murders of especial atrocity.

Luke Monihan, brother of a later mayor, was a farmer living a few miles to the west. He was driving home in the dusk of the evening, when a wretch named Keller, with whom he had had trouble, shot him in the back, from behind the screen of the roadside sagebrush. The steady farm horses trotted home, and the wife, as the team stopped at the door, came out to find the lifeless body of her husband in the wagon bed. It didn't take long to run Keller down. Indian trailers followed his footsteps to the house where he lodged, and the little iron cage of the county jail received him forthwith.

A stoutly-built, bluff, jovial man was Johnny LeBarr, who kept a saloon on Washington Street. On the evening of August 21 he was treating some friends in an adjoining saloon, but refused to provide liquor for a rough named McCloskey. The latter left the saloon, returning a few minutes later with a long butcher knife, with which he slashed LeBarr across the body. His victim died a few hours later.

Next morning, bright and early, the Mexicans commenced to assemble around the Plaza, hundreds of their ponies tied to the huge cottonwoods that then shaded the block. A little later the farmers commenced to ride in. All were armed with rifles and revolvers. The gathering place was on Jefferson Street. Marion Slankard, since deceased, was the captain. Around Montezuma Street, into Washington, swung the column of over a hundred determined men. All was quiet in the ranks and on the crowded sidewalks. Up to the little adobe courthouse the men marched and filed in. The officers knew what was coming and had discreetly found occupation elsewhere. The jailer was the only one on guard. He demurred to the suggestion of handing over his keys, but soon was convinced that he should do so.

At least ten malefactors were imprisoned at the time, but the committee wanted only McCloskey and Keller. These men they took to the plaza. The fourth and fifth cottonwoods from Montezuma (First) Street, on Washington, were chosen as gibbets. The condemned men, singly, were put into a wagon, allowed a few parting words, and then the wagon was driven from under them. Keller confessed his guilt. He had plenty of drop and appeared to die easily. McCloskey made quite a sensible and really manly talk—said he deserved his fate and warned the spectators to profit by the spectacle of his punishment. He bitterly spoke of liquor as the source of all his many misdeeds. Just as the wagon commenced to move, McCloskey mounted to the endboard and voluntarily made the leap into eternity. He was a heavy man and the elastic limb bent till his toes touched the ground; and so he died, a dreadful sight, death drawing but slowly across the uncovered face.

McCloskey's spirit had hardly flown ere there were two cowering figures more in the dreadful wagon. They were those of two Mexican merchants who

had for several days been preaching a crusade against the "Gringos." They had been captured by a clever flank movement from among their demoralized partisans. Slankard spoke good Spanish and made himself quite plain. Pointing to the swinging bodies, he warned the shrinking men that such would be their fate if another incendiary word were to cross their lips. They were then released; and the Mexican insurrection was a thing of the past.

The vigilantes then turned their efforts towards cleansing the town of its undesirable element. Everyone suspected of being a rough or a crook was given a canteen and a warning. Departure was forthwith, many finding an appropriate field of operations in the newly-opened camp of Tombstone. For years thereafter Phœnix was as quiet a town as one could find in staid New England. This gratifying result was directly due to the vigilantes. That they accomplished a work of good is incontestable. They presented the law a peacful city and neighborhood, and peaceful has it remained.

The first lynching in Phœnix occurred July 3, 1873, when Mariano Tisnado was hanged on a cross beam of the Monihan corral. On the face of things it would appear that he had been hanged for stealing a widow's cow, but there seems little doubt that he was guilty also of the murder of B. F. Griffin, a highly-respected pioneer who had lived south of the village. In 1877 was the execution of another popular decree in the hanging of a soldier who had shot Lew Bailey through the window of a hall in which the better element of the population had met to dance. This hall was the old stage station on the east side of Center Street, half a block north of Washington. The lynching was on a cottonwood on the site of the present waterworks. Bailey later died of his wounds.

GLOBE'S MOST EXCITING EPISODE

On August 23, 1882, Frank Porter, packer on the mail route across the Pinal Mountains, dashed wildly into Globe, shouting that the Apaches had taken in the mail train and that the express messenger, Andy Hall, was dead. The mules of the pack train were found dead on the trail. The mail, untouched, still was strapped to the back of one, but the express box, with $10,000 in gold, intended for the Mack Morris payroll, was gone. Two sets of tracks showed that white men had done the deed, rather than Indians, and other footprints showed that Andy Hall had followed the robbers, in the line of his duty. Across a hill, dying, was found Dr. Vail of Globe, who, with his last breath, told what he could of two robbers, whom he had accidentally come across as they were dividing the gold. Further on the trail, miles away, at dusk, was found the body of Andy Hall, who, ambushed, had fought to the end, his body stiffening in a stunted shrub in which he had crouched, the last cartridge unfired in a magnificent revolver that had been presented him by the Wells-Fargo Company for faithful service. In the body were a dozen bullet holes. The next day, three arrests were made. One was of John Hawley, a well-to-do wood contractor; the second was Lafayette Grime, a cowboy-miner, who had done distinguished service with the Globe Rangers in a late Indian campaign, and the third Cicero Grime, the town photographer. The last-named confessed, for he had been only a scout, who had made sure of the coming of the bullion and had not participated in the actual shooting. There was a short conflict of authority at Bloody Tanks, where the prisoners had been held, and where Pete Gabriel, the

PEARL HART, ARIZONA'S FEMALE BANDIT

MAIN STREET OF GLOBE IN 1882, SHOWING THE "HANGING TREE"

noted sheriff of Pinal County, tried to take the men away from Bill Lowther, the equally brave sheriff of Gila County. In the evening, the men were brought into Globe, placed in a little adobe jail, whence, a few hours later, they were taken by an armed organization of citizens. Everything was done in orderly manner. Geo. A. Allen, the justice of the peace, was summoned and bidden forthwith to make examination into the case. The trial was held in Stallo's Hall and the defendants were given legal counsel. The evidence was such that Allen could do nothing else than bind the prisoners over, without bail, to the next grand jury. This, in effect, was a sentence of death.

Hoping for a chance to escape, Hawley and Lafayette Grime assented to a proposition that they show where the money had been hidden. Escorted by a dozen horsemen, on the darkest of nights, the couple led the way twelve miles up Russell Gulch, where the loot was found buried some distance apart under separate trees. In Grime's cache was two-thirds of the spoil, thus demonstrating the full guilt of the brother. Cicero Grime's case, in the meantime, was being put to a vote, and his life was spared by a very slight majority of the ballots cast. He was speedily taken away, for there would have been reconsideration when the Russell Gulch party returned with the money and reported. The orderly proceedings to an extent were directed by J. J. Vosburg, the express agent, who had read to the crowd a telegram from his superintendent: "Damn the money. Hang the murderers. (Signed) Valentine."

When Hawley and Grime returned, they were given time to make their wills, Hawley's wife getting his property, while Grime deeded his cattle to the girl he was to marry. It was past 2 in the morning when they had finished. Some one at the Methodist chapel around the corner commenced to toll a funeral knell. Out of the hall, down the street silently tramped the multitude, the prisoners under guard at the fore. Both walked firmly and made no complaint at their fate. Near where the creek bent to cross the street stood a large sycamore tree, one branch stretching nearly across the roadway. Over this branch were flung two of the three ropes at hand, over the culprits' necks the nooses were drawn, and a hundred men grasped the ropes, quietly awaiting the word of command. A good and respected clergyman stepped forward. He was not there to stop the work, but to do his office for the dying. Hawley roughly refused his aid. Grime more gently said, "Mr. Calfee, I don't believe that anything you can say would aid me where I am going." As his handcuffs were taken off to more closely secure his hands behind him, Grime bitterly exclaimed, "Damned if I'll die with my boots on!" and down in the muddy street he sat and pulled off his high-heeled boots. Then he stood erect at the side of the imperturbable Hawley. "Now!" shouted the express agent. The line stiffened, and the bodies rose to the tree branch above. A few minutes sufficed to still the twitching limbs, the ropes were wound round the tree trunk and the work was done. Andy Hall and Doctor Vail had been avenged to the extent of man's feeble power.

On the whole, Globe rather has prided herself on her peaceful condition. Violence in the early days was unusual. Possibly all such expression of energy was saved for use against the surrounding Apaches. The first killing within the camp was that of a prospector named Jones by a miner, Burns, who suspected Jones of designs on his claim in the annual time of relocation.

Tom Kerr, a tall, blonde miner, who at need acted as the camp's auctioneer, murdered a man who lay asleep on a sidewalk bench—yet somehow, for a time, escaped retribution. On New Year's Eve of 1882, at Pioneer, he shot and killed a young teamster who had refused to drink with him. He was seized at once and the miners and prospectors were brought in by the sounding of the mill whistles. After a short trial Kerr was taken forthwith to a convenient tree and hanged. His last words were: "Here goes a New Year's present to the devil." The bitterest feature of it all developed in a letter from his mother in Illinois, written in reply to what was intended to be a mercifully inaccurate account of her son's death, for she told how good he always had been to her.

DRAMATIC FEATURES OF BISBEE'S HISTORY

Bisbee had its only lynching September 11, 1882. A drunken Mexican returned after midnight to a saloon from which he had been ejected and from the darkness outside shot into the lighted room, wounding a miner, Jack Walsh, known as "Curly," as well as two others. One of the wounded, Jack Kehoe, died from his injuries. The Mexican ran up the cañon and was found in a cabin, his identity established by identification of the rifle with which the shooting had been done. The miners of the camp laid off work for the morning to attend to what they considered a public duty. The Mexican was marched up the cañon and hanged to a tree near Castle Rock. While the body was hanging, one of the principal owners of the Copper Queen Company, just arrived on a trip of inspection, was driven by Supt. Ben Williams past the swinging body. Horrified by local conditions, he refused to stay longer and hurried away. At least one good was done by the trip. He determined that such barbarism as he had witnessed could proceed only from the lack of education and information, and so he sent from New York a large number of well-chosen books, that served as a nucleus to the splendid Copper Queen Library.

The Mexican hanged had a brother, who started a vendetta against the Americans concerned. A few months later "Curly" was assassinated on a trail near Globe and his brains were beaten out with a stone. The brother, according to James Kriegbaum, later sent an apology by a messenger, stating that he had learned that "Curly" really had nothing to do with the hanging and, therefore, apologies were due, for he didn't consider the row between the miner and the late lamented anything more than a gentlemanly dispute in which neither was particularly to blame. Judge Duncan, however, tells that Walsh really did adjust the rope at the lynching.

Bisbee never was really "bad" after the fashion of Tombstone and other early camps. As a rule her miners were of substantial and home-making sort. The management of the Copper Queen Company also had much to do with peaceful conditions and any man who started disorder found scant sympathy and immediate persuasion to leave.

Bisbee's first killing happened before there really was a town, in the latter part of August, 1880. A Mexican furnace man was shot down at his supper by an unknown Mexican, who was trying to kill, but only wounded, a girl who was waiting on the table. The Mexican escaped. Judge Duncan has chronicled a number of killings that followed, but this work is far too limited in space for

the recording of any save the most striking of the hundreds of deeds of violence that have been known in Arizona towns since their American settlement.

On the 8th of December, 1883, occurred what is known as the Bisbee Massacre, when a number of rustlers "took the town," with three attendant fatalities. The rustlers were Dan Dowd, James ("Tex") Howard, Comer W. ("Red") Sample, Bill Delaney and Daniel Kelly. About 7:30 p. m. a couple of them entered the store of Goldwater & Casteñeda. With presented pistols, they stood the occupants against the wall and robbed the store and safe of money and other valuables. Outside the three others kept the street clear by shooting at every one who appeared. John Tapiner was shot down on a saloon doorsill as he was seeking safety. D. Tom Smith, a deputy sheriff, and James C. Kriegbaum ran out in defense of the town, but the former was almost immediately shot twice and killed. Kriegbaum was more fortunate in escaping unhurt and in wounding Sample. Mrs. Anna Roberts, a restaurant keeper, was shot through the body and killed, though the bullet was fired at a fleeing man. J. A. Nolly was fatally wounded by Dowd. Then the outlaw quintet left, "shooting up" the lower town as they escaped out upon the plains into the night.

Kriegbaum mounted and made the distance to Tombstone, twenty-eight miles, in less than two hours, and sheriff's posses soon were on the trail. Deputy William Daniels, leading one party, found where the fugitives, in sheer cruelty, had thrown their wornout horses into a deep rocky crevice, after finding fresh mounts at a nearby ranch.

The robber band broke up in the Chiricahua Mountains, but the pursuit was continued. Daniels arrested Dowd down in Chihuahua and, helped by a friendly American mining superintendent, smuggled him back into the United States. Delaney made his way to Minas Prietas, Sonora, where he was arrested by a Mexican officer, who, without extradition papers, delivered him over to be brought across the line in a box car. Kelly was arrested at Deming, identified by a barber who was shaving him. Sample and Howard were caught near Clifton, betrayed by a gold watch that they had taken from the safe. This watch Howard had given to a woman of the underworld. She had exhibited it to a male associate, who, jealous of Howard, and recognizing the timepiece by the description that had been sent out generally, was only too ready to deliver his rival into the hands of the law and to collect the reward offered.

Among the first to join in the pursuit was a Bisbee resident, John Heath, whose services were of negative character. He soon was looked upon with suspicion after he had led the posse from the trail a few times. He was recognized by Frank Buckles as having been at the latter's ranch with the five outlaws and other evidence of complicity soon warranted his arrest. The five were tried together and were sentenced to hang. Heath, tried alone, was found guilty of murder in the second degree. Judge D. H. Pinney thereafter set March 28 as the date of execution of the five and, on February 21, sentenced Heath to life imprisonment.

The verdict was not received approvingly in Bisbee, and a number of Bisbee residents promptly set out for the county seat. On February 22, 1884, a mob, mainly composed of miners, took Heath from the prison and hanged him to a telegraph pole in Tombstone, setting the sheriff and his deputies aside and leaving the other five prisoners untouched. Heath showed plenty of nerve. Quietly

assuring the crowd he was not guilty, he took a handkerchief from his pocket and tied it over his eyes and asked that his body be not mutilated by pistol shots, as often had been the case in frontier lynchings. This request was honored. By Sheriff Ward the five were legally hanged together March 28, the drops actuated by the cutting of a single string. All protested their innocence.

Bisbee then formed a committee of safety, called the "Forty-five Sixty," the name derived from the cartridge caliber and load carried by the most popular rifle of the day. The committee found some work to do in ridding the camp of a number of individuals considered obnoxious or dangerous.

THE DOCTRINE OF "AN EYE FOR AN EYE"

At Tucson in 1873 the people began to appreciate that lax enforcement of law on the part of county officials made possible the escape, through legal technicalities, of too many desperate criminals. So, on August 8, the population rose, more or less en masse, and took from the county jail and hanged John Willis, Leonard Cordova, Clemente Lopez and Jesus Saguaripa. A coroner's jury summoned commended the executioners and stated that "such extreme measures seem to be the inevitable result of allowing criminals to escape the penalties of their crimes." A few months later a grand jury likewise approved the hanging as justice at the hands of "a large majority of our most substantial, peaceable and law-abiding citizens." Willis had been found guilty of killing Robert Swoope at Adamsville, in the course of a drunken discussion of the shooting of Colonel Kennedy by John Rogers, whose own fate seems to have escaped local historians. The three Mexicans, for plunder, had murdered in Tucson one of their own countrymen and his wife. The execution was without secrecy, upon a common gibbet erected before the jail door, after the condemned men had been given the benefit of clergy.

The people of the young Town of Safford, in August, 1877, took the law into their own hands and hanged Oliver P. McCoy, who had acknowledged the killing of J. P. Lewis, a farmer. McCoy was to have been taken to Tucson for trial, and there was fear of miscarriage of justice in the courts.

In December, 1877, the people of the little Village of Hackberry, in Mohave County, hanged Charles Rice, charged with the murder of Frank McNeil, whose offense seems to have been the disarming of Rice's friend, Robert White, in the course of an altercation in which White appeared in the wrong. About the time of the hanging, White, fearing a similar fate, tried to escape and was shot down and killed by his guards.

At Saint Johns, in the fall of 1881, was a summary execution, a gathering of citizens taking from the jail and hanging Joseph Waters and William Campbell, who had killed David Blanchard and J. Barrett at the Blanchard ranch. It was told at the time that the men hanged had been hired to do the murder by someone who wanted the ranch as a trading post. But nothing was done with the third party.

April 24, 1885, popular judgment was executed five miles below Holbrook, where two murderers from the town, Lyon and Reed, were run into the rocks by a posse of citizens headed by Jas. D. Houck, and killed. The couple had killed a man named Garcia.

JIM VAUGHN
Killed in Saint Johns Raid, 1884

One of the most serious criminal episodes ever known in Yuma was early in 1901, when Mrs. J. J. Burns, a farmer's wife, was shot and killed by a constable, H. H. Alexander, who had been charged with the service of a legal paper. About two months after the shooting, Alexander was convicted of murder and sentenced to life imprisonment. April 9, while being taken from the courthouse to the territorial penitentiary, walking between two officers, Alexander dropped dead, killed by a rifle bullet from the window of a building near by. It was assumed that a relative of the King family (to which Mrs. Burns belonged) had assumed the fullest degree of vengeance, but the matter was taken no further.

In December, 1899, the county jail at Holbrook had a notable prisoner, George Smiley, convicted of the killing of a section foreman named McSweeney. The sheriff at that time was F. J. Wattron, a school teacher-editor, who thought to make the first legal execution in the new County of Navajo a sort of social function. So he issued a "cordial" gilt-bordered invitation to visitors, assuring those invited that "the latest improved methods in the art of scientific strangulation will be employed and everything possible will be done to make the surroundings cheerful and the execution a success." There were hundreds of protesting letters over the sheriff's levity. Governor Murphy waxed indignant, scored the sheriff for flippancy and granted the prisoner a month's reprieve. Smiley was hanged January 8, 1900. The invitations for the second date were somber and funereal in tone. The sheriff tried to "even things up" with the governor by wording which was, "with feelings of profound sorrow and regret I hereby invite you to attend and witness the private and humane execution of a human being. You are expected to deport yourself in a respectable manner and any flippancy or unseemly language or conduct on your part will not be allowed."

"BAD MEN" OF FOOLISH TRAITS

Some of the "bad men" of early Arizona really were decent fellows down at the bottom, men who would divide their last cent with a friend and in whose hands a trust would be inviolate. As was commonly said at that time, such fellows merely had "a streak of the devil in them," and a disposition towards violence that seemed to be encouraged by local conditions. In Arizona, as in many other states, the carrying of firearms was traceable to the necessity for protection against Indians. The habit generally was discontinued when danger from Indians passed in the middle eighties. Later a territorial statute was passed forbidding the carrying of deadly weapons in towns. Some of the desperadoes of early days had really childish characteristics. They liked to shoot much for the same reason that a child likes firecrackers. Very often they were full of a childish vanity, which they considered assertion of a sense of personal honor, supporting their reputation for bravery and truthfulness. There rarely was malice in the actions of a band of cowboys riding through a settlement, at full speed, in a joyous pastime of "shooting up the town." It was only one way for relieving over-exuberant spirits. Naturally, individuals such as described would have what they called enemies, usually men of their own inclinations. Bitter feuds started from merely a casual comparison of the relative pluck of a couple of cowboys and on such a trifling basis two men often would

fight to the death. However, in many communities there were spirits who seemed to take pleasure in evil doing, who robbed stage coaches and trains and who murdered in sheer blood lust. The fate of some of these is told in this work, for nearly every one eventually had disastrous contact with the courts of justice or with popular tribunals. To handle these rough characters seemed to demand men with just as much of their own reckless spirit, and of such men, drafted into the service of law and order, the conditions developed many.

HOW COMMODORE OWENS "MADE GOOD"

In the pioneer days of any western community peace officers usually were selected for personal prowess and quick-firing ability. On the doctrine that the devil should be fought with fire, each community sought the services of men individually able to cope with any desperado who might appear. This was a condition which usually meant battling with no evil other than mere violence.

One of the most famous of frontier sheriffs was Commodore Owens, whose particular field was Northeastern Arizona. "Commodore" wasn't a nickname; he was thus christened. He looked the part of the frontier sheriff, with long hair down his back, large hat and high boots, carrying at least one large revolver. In his life happened many sensational episodes, but what gave him more than local celebrity was a fight in 1886 at Holbrook, in which he killed three cowboys and wounded a fourth.

At that time Holbrook was still included within Apache County, of which Owens was sheriff. One Andy Cooper had a few head of cattle in Pleasant Valley. He bore a bad reputation with the stock men generally and on numerous occasions had been accused of stealing cattle and horses, but the fellow had been canny in his operations and never could there be gathered together evidence enough to convict. Finally the Apache County grand jury found an indictment against him, but evidence was lacking. The sheriff was advised by the district attorney that the indictment had been found more as a "scare" than anything else. So Commodore practically let the matter drop, as was expected of him, but the public had not been taken into the confidence of the district attorney and only knew that the indictment had been found. On the day of the killing Cooper was in Holbrook visiting his mother, at a time when the sheriff inopportunely also happened in town. The latter promptly was advised of Cooper's presence by a number of saloon loungers. When Owens showed no inclination to make the arrest, he was baited by the crowd which finally struck a tender spot in the sheriff's makeup with a suggestion that Cooper was known as a hard customer and that probably Commodore was afraid to tackle him. Then it was that Owens lost patience. Seizing a rifle and jumping on his horse, he answered his tormentors, "I'll show you whether I am afraid to arrest Cooper," and rode to the house of Cooper's mother, Mrs. Blevins, in the eastern part of the town. About thirty feet in front of the house he dismounted and then walked up on the porch. In response to his rapping, the door was opened slightly and Cooper's face appeared. "What do you want?" he inquired. Owens replied, "Andy, I want you." "All right, Commodore," said Cooper. "Just wait a minute," and he slammed the door in the sheriff's face.

Owens took the hint of trouble and backed from the porch towards his horse, carrying his rifle at his hip, a position in which he could shoot practically as well

as he could with his eye on both sights. He had backed nearly to his horse when the house door opened and a rifle ball sang past the sheriff's head and killed his horse. Before the door could be closed, Owens fired, shooting his would-be murderer through the shoulder. Then was appreciated the fact that he had several men to deal with, for the man he had shot was John Blevins, Cooper's half brother. At almost the same instant, Cooper's face was seen peering over the sill of a window. Commodore immediately fired through the boards of the house, directly below the window sill, shooting Cooper through the lower part of the body. A simultaneous attack from three points had been planned, for hardly had the sheriff's second shot sounded before a third cowboy, named Roberts, was seen stealing around from the rear of the house, with a revolver held over his head in readiness to fire. When he appreciated that the sheriff's eagle eye already was on him, he attempted to turn for shelter, but not soon enough, for a rifle bullet struck him in the back. He dragged himself into a back room and was dead in ten minutes. Then young Blevins, a lad only 16 years of age, appeared through the same front door from where the first shot had been fired. Clinging to him was his mother, shrieking and trying to hold him back, but the half-crazed lad, disregarding her, was dropping his pistol to shoot, when Owens sent a bullet through his heart. Owens expressed regret after the affair only over killing the boy, but observed that a "boy could kill as easily as a man"—there was no other way for him to do, he simply had to kill the boy or be killed by him.

The scene of the tragedy has been well described to the editor by W. H. Burbage, who was on the ground at the time. The sight within the house was horrible. Andy Cooper was crawling around on the floor, on hands and knees, cursing and imploring anyone to put him out of pain. In an adjoining room John Blevins was sitting in a chair, bloody from his wounds. In another room young Blevins lay dead, and on another bed was the dead body of Roberts. Blood was everywhere, on the floors, walls, doors and furniture, and the air reeked of it. Most pitiful was the sight of the mother mourning her slain sons.

Needless to say, there was no further adverse comment by the populace concerning the personal valor of the sheriff.

PEACE OFFICERS WITHOUT FEAR

Henry Garfias was appreciated by Arizonans as one of the bravest men ever known in this region of brave men. He came in 1874 from Anaheim, California, and was a native of the Golden State. In 1876 he was elected constable of Phœnix precinct and since that time had continued till his death to be a peace officer in some capacity. For seven or eight years he was city marshal.

One of the famous episodes of Phœnix history was participated in by Garfias in his capture of "The Saber Slasher," who was trailed by the officer far down into Sonora, and was found in a den of cut-throats. Garfias, nothing daunted, marched boldly in, captured his man, brought him back across the border without any such formality as extradition and deposited him safely in the Phœnix jail where he was later killed.

A desperado named Oviedo was to be arrested. As he and Garfias were personal enemies, the latter was unwilling to undertake the arrest, but did his duty. Oviedo had threatened to kill Garfias on sight. As the officer walked toward

him, his hands open and with pacific words, Oviedo snatched up a shotgun and fired pointblank. Garfias was one of the quickest of men with a revolver and probably beat the record on this occasion, for when the load of buckshot whistled over his head he had put two deadly bullets into Oviedo's body.

Several years later, while Garfias was city marshal, several Texas cowboys, fresh from their native heath, mistook the character of Phœnix and started to "shoot it up." They were plainly not acquainted with the reputation of the marshal. As the first joyful yell came to his ears and the sound of pistol shots opened the ball after the fashion of the Panhandle, Henry was on his horse. The four cowboys were gaily curvetting down Washington Street eastward, occasionally taking a shot at a promising looking door, sign or hanging lamp, when called upon by the lone marshal to surrender. They did not, and there lay their error. They opened fire. The marshal was unharmed, despite a very hail of lead and in his response was fortunate enough to wing two of the cowpunchers, one of them fatally. Then he rounded up the others and put them in jail.

A dozen other stories might be told of the dead deputy sheriff. He seemed absolutely without fear. As one frontiersman put it, "Henry isn't entitled to any credit for his sand, for he doesn't know any better." Liberal to the last degree, he spent his large earnings as fast as made and he left no estate.

One of the most notable peace officers of the Southwest was George Scarborough of Deming. He had killed a number of men, but always in discharge of his duty. There was nothing of the bully about him. It is probable that he was feared by the cattle rustlers as had been no other man. In April, 1900, Scarborough and Deputy Sheriff Walter Birchfield of Cochise County started from San Simon to investigate a case of cattle rustling. In the Chiricahuas Mountains they rode up to a couple of saddled horses, when they were fired upon from ambush. The two officers, revolvers in hand, galloped into the rocks under a hailstorm of bullets. Both officers were wounded, Scarborough so severely that he died two days later. His companion dismounted and built up a rock fortification, behind which, when darkness fell, he left Scarborough and, finding his own horse, dashed away for help. Before daylight in the morning he was back from San Simon with a force of cowboys, but the outlaws had departed, headed for Mexico. The outlaw band, which had five members, was met by the two officers unexpectedly. It had come from the mountains near Saint Johns, Apache County, where, on March 27, Frank Lesueur and Gus Gibbons, two young cowboys, were ambushed and killed. The next day the five bandits successfully resisted an attempt toward arrest made by Sheriff Beeler and a number of stockmen. Four of the murderers were known, namely, John Hunter, Ben Johnson, John Wilson and John Coley.

For about fifteen years the peace of Prescott was kept by Jim Dodson, an officer typical in all respects of the accepted melodrama type of the city marshal. Jim handled matters rather after his own ideas and petty misdemeanors interested him very little. He was always looking for large game and the carrying of a huge revolver in a belt where his hand could reach it quickest was not for ornament, for upon a silver-mounted belt that had been presented him by the citizens of Prescott he had carefully cut eight nicks, the number standing for the number of men he had killed in the performance of his duty. Possibly on account of Jim Dodson, Prescott never was a disorderly town, however much

the cowboys and miners might flock in from the hills. It was told that in the Civil war he had been a member of the Quantrell guerrilla band. In the course of time he retired from office as marshal and served as guard on the wall of the penitentiary at Yuma, when his skill with the rifle proved valuable in at least one desperate attempt made by the prisoners to escape. The latter part of his life was spent in Phœnix, where he died May 10, 1907, at the age of 67.

A DEADLY DUEL IN FLORENCE

One of the historic "shooting scrapes" of Arizona was that between Pete Gabriel and Joe Phy on the main street of Florence, in June, 1888. Each was considered worthy of a high place among the gun men of the day. Gabriel had been sheriff and had done good work also as United States deputy marshal. Phy had had long service as an officer of the law and had been deputy sheriff under Gabriel. Bad blood had been developed between the two when Phy made an unsuccessful attempt to succeed his chief in office. For weeks it had been known that a meeting between the two would mean deadly work. This meeting came accidentally in Keating's saloon. There was a quick exchange of shots, each man claiming that the other fired first, and then the battle was continued outside. Each man emptied his revolver and every shot told. Phy finally went down with a broken hip bone. Gabriel weakly stood above, to receive fierce summons from his foe, "Damn you! I can't get up. Get down here and we'll finish it up with knives." Gabriel, shot through the kidneys and otherwise desperately wounded, answered, "I guess we both have plenty," and tried to cross the street, reeled and fell. The only surgical attendance at hand was given Phy, who died in the night. Gabriel lay for hours in the office of Stevens' corral till a surgeon could be brought from Sacaton. He recovered and later moved his residence to Yuma. Of the two, Gabriel was rather of higher type, yet was a hard drinker, while Phy was an abstainer. Phy had gone to Florence from Phœnix, where, while serving as a peace officer, he had been ambushed by Mexicans in an alleyway, just north of the present site of the Adams Hotel, repeatedly stabbed and left for dead, a few minutes later found with his head under water in a large ditch. When he was able to travel, he left Phœnix, which he said was a bit too tough a town for him.

DESPERATE DEEDS OF VARIOUS SORTS

Possibly the wildest time ever known to Saint Johns was San Juan's Day, June 24, 1882, when Nat Greer and a band of Texas cowpunchers thought to provide themselves a little entertainment by "shooting up" the sleepy Mexican town. On the border they had been accustomed to seeing Mexicans run whenever the fusillade started. They were mistaken in the character of the population of Saint Johns, for the Mexicans there refused to be intimidated and returned the fire with interest, especially from an improvised fortress in the loft of Sol Barth's home. The defense was under the charge of Perez Tomas, a Mexican deputy sheriff, who, according to Charlie Banta, "was as fine a man as ever lived." Only one Mexican was wounded, Tafolla, whose son afterward was killed while serving in the Arizona rangers. "Father" Nathan C. Tenney, an elderly and beloved Mormon resident, accidentally was killed while trying to act as peacemaker. One of the attacking party named Vaughn was killed

and Harris Greer was wounded. The Texans finally were repulsed and rode away. Later they were arrested and brought back to Saint Johns for trial. For a time there was serious danger of lynching and the Mexican population even organized to storm the jail. Summary action of this sort was avoided through the influence of Sheriff E. S. Stover and of Barth and the raiders in the end escaped with light punishment. It is notable that one of them was a negro only known as "Jeff," who had been brought by the Greers from Texas.

One of the most lurid dime novel bandits the Southwest ever knew was Augustine Chacon, captured near the international line by Ex-Captain Mossman of the Arizona Rangers, who had a personal interest in landing the desperado. Chacon murdered a Mexican in Morenci in 1895 and thereafter was sentenced to hang. He escaped from jail a few days before the date of his execution and later was charged with the murder of two prospectors on Eagle Creek and of an old miner, whose body was found in an abandoned shaft. He then joined Burt Alvord and other outlaws in Sonora and participated in at least one train robbery. Chacon, after his later arrest, was duly hanged at Solomonville in December, 1902.

In the list of desperadoes of the early days, a place undoubtedly should be reserved for a blacksmith named Rodgers, who, at the Santa Rita mines in 1861 boasted of having killed eighteen persons, and who then produced a string of human ears to prove his tale. At the time he promised that he would make the number twenty-five before he quit. In this ambition, according to Professor Pumpelly, he later killed six men at El Paso, where he was caught and, in a laudable endeavor to make the punishment fit the crime, he was hanged by the heels over a slow fire—and his own ears made the twenty-fifth pair.

The first legal execution in Yuma County occurred in 1873, and was that of Manuel Fernandez, hanged for the murder of D. A. McCarty, generally known as "Raw Hide." The crime was committed for loot, and, before it was discovered, the Mexican and his confederate had worked several nights carrying wagonloads of goods away from their victim's store.

A rather noted criminal was Joseph Casey, hanged in Tucson, April 15, 1884. He was a deserter from the regular army and had been charged with a number of murders and with other criminalities along the border, finally being arrested in 1882 in the larceny of cattle. October 23, he, three men held on a charge of murder and five other prisoners broke jail at Tucson, but Casey, six months later, was rearrested at El Paso. April 29, 1883, again an inmate of the Tucson jail, in a second attempt to escape, he killed Jailer A. W. Holbrook. A mob tried to get him out to hang him, but there was swift retribution and he was soon sentenced by Judge Fitzgerald to capital punishment and was duly hanged.

A notable execution occurred at Tombstone late in 1900, in the hanging of the two Halderman brothers, found guilty of the murder of Constable Chester Ainsworth and Teddy Moore at the Halderman ranch in the Chiricahua Mountains. The brothers had been arrested on a charge of cattle stealing by Ainsworth and Moore and had been allowed to enter their home to secure clothing. Instead, they reappeared with rifles and shot the officers from their horses. The murderers fled, but were captured near Duncan by a sheriff's posse and returned for trial at Tombstone.

CHAPTER XXXIX

CRIMES OF THE ROAD

The Great Wham Robbery and Its Political Complications—Gribble and Barney Martin Murders—A Female Bandit—Train Robberies that Proved Unprofitable—Jim Parker's Path to the Gallows—Burt Alvord and the Cochise Train Robbery.

One of the most notorious crimes of the Southwest, possibly the only instance of an attack by white men upon American soldiery, since has been known as the Wham robbery. May 11, 1889, Maj. J. W. Wham, paymaster U. S. A., started from Fort Grant for Fort Thomas, taking with him in an army "Dougherty" wagon a box containing $26,000 in gold and some silver, for the pay of the troops at the latter post. As escort he had eleven colored soldiers, from the Twenty-fifth Infantry, led by a sergeant. The party had passed Cedar Springs, a point of sanguinary history in Indian wars, and had entered a small defile when the way was blocked by a large rock that seemed to have rolled down the hillside. A number of the soldiers were busying themselves in removal of the rock, their rifles laid aside, when a fusillade of shots came from the brow of a nearby ridge. The soldiers acted well, deploying behind such cover as they could find, but the road was fully commanded by a foe that had constructed seven little rock shelters and who offered only the target made by the smoke of their rifles. Five of the soldiers had been wounded, happily none of them seriously, when the major was found in full flight. Their only officer gone, the negroes followed and the field was left to the enemy and to the wounded. Three men were seen to come down to the road, pick up the chest and carry it over the ridge. Help soon came from Grant. The rock rifle pits were found deserted. Near by the contents of the box had been emptied into gunnysacks and the robbers had departed on horses and in all haste. At the time it was believed that thirteen men had shared in the robbery, but at the time only seven sets of tracks were found.

Within a few days the military authorities had secured evidence on which were arrested eight Gila Valley farmers and stockmen, including Lyman, Ed. and Wal. Follett, Gilbert and W. T. Webb, Dave Cunningham, Tom Lamb, and Dave Rogers. A number of witnesses were gathered up, one of them swearing that he had seen several of the accused hide their booty in his haystack and use his fireplace in which to burn the gunnysacks in which had been carried the loot.

Ed. and Wal. Follett and Tom Lamb were dismissed and no evidence was found against a Gila farmer who was popularly charged with having laid the plot and with having received his share of the golden booty. The others were

bound over under very heavy bonds, which were supplied only in the case of one of the accused.

The case was brought up in November. Serious as was the crime, the main issues early were beclouded. Though President Harrison had assumed office the previous March, at Tucson were democratic "hold-overs," United States Marshal W. K. Meade and District Judge W. H. Barnes, incidentally bitter enemies. Barnes, an active partisan in politics, had at least one personal friend and political associate among the defendants and had arranged to have the case tried by Judge Hawkins, from Prescott. But the grand jury that found indictments against the prisoners had been told nothing of the proposed coming of Hawkins. So the next step was a telegram sent by the grand jury to the department of justice, recommending Barnes' removal, with the inference carried in the dispatch that the judge was in league with the attorneys for the defense.

Judge Barnes got a copy of the telegram. When court opened, the following morning, the grand jury was summoned before him and was discharged, after it had been called "a band of character assassins, unworthy to sit in any court of justice." Then followed a few days in which "the wires were kept hot." Barnes lost, though probably with little reference to the pending robbery case, and to the place was appointed a young Florence attorney, Richard E. Sloan, whose name was destined to even higher position in Arizona's hall of fame.

The trial began in November and lasted thirty-three days. The Government was represented by District Attorney Harry Jeffords, who was assisted by William Herring and S. M. Franklin. The attorneys for the defense were led by Marcus A. Smith and Ben. Goodrich. There were 165 witnesses, more than half of them at the cost of the defense. The five negroes who had been left on the field identified three of the accused, but were handicapped in the fact that, without exception, they had made the same identification at the preliminary examination according to their best "acknowledge and belief." Wham was as bad a witness as he was a soldier and by Mark Smith was led into a trap in trying to identify $1,000 in gold that had been seized by the Government after deposit by Gilbert Webb in a hotel safe. When the coins were spread out in the court room, the wily lawyer scrambled with them a handful of other twenty-dollar pieces and defied the paymaster to pick out his own. The defense brought testimony in quantity to show that they were far from the scene of the crime at the time of its perpetration. The man with the haystack declared he had lied in his first statements.

At the time lawyers rather generally observed that the case had been "over prosecuted." There was prejudice in Arizona communities over prosecutions by the Government, for the Government then had little standing except as a source of income in many communities. There was a disinclination to accept the testimony of the negroes and Wham had made a mess of his own evidence. So the verdict was for the defendants. There was a general disposition at the time to criticise the jury, but there was no aftermath, except a conviction for perjury of a witness who had done the defendants no particular good. Whatever became of the money, the defendants emerged from the trial destitute of what they had had. Wham was debited with the money he had lost and not till several years thereafter was he released of responsibility by the passage of a

DEFENDANTS AND COUNSEL IN THE WHAM ROBBERY CASE

special act in Congress. He died in Washington in 1908, after another "bad luck" episode in his official career that happened in the Northwest and in which the Southwest would have little interest.

THE BRAZLETON ROBBERY

In July, 1883, on a road to the northwest of Tucson, there were a couple of stage robberies, something not uncommon in the least in that locality; but added interest was given from the fact that in the second robbery, the highwayman had pretended to lead a considerable number of other, though unseen, bandits, and from behind a clump of sage brush had protruded the muzzle of a shot gun. The passengers were rather irritated when it was found that the robber was alone, a fact demonstrated by none other than the famous Pete Kitchen, who, with some Papago trailers, tracked the robber about thirty miles into the Santa Cruz Valley, south of Tucson, where the trail had to be abandoned. Soon thereafter into town came a healthseeker, who had a milk ranch four miles from Tucson, with a tale that he was harboring in his house a desperado who had threatened him with death if he failed to return that night with provisions and ammunition. The rendezvous was kept in the mesquite thicket, where also was Sheriff Charles Shibell with a posse, and in the resultant melee the robber was killed. He proved none other than Jim Brazleton, who had been employed in the livery stable of R. N. Leatherwood, next to the courthouse in Tucson, and there was later evidence that the same man, within nine months, had robbed seven mail coaches around Albuquerque, from which point he had come.

OPERATIONS OF THE VALENZUELA GANG

In 1887, Superintendent Josiah Gribble of the Vulture mines and two guards, Johnson and Littlefield, were murdered a few miles from Vulture, as they were starting for Phœnix with a bar of gold bullion, valued at $7,000, the product of the Vulture mill. Gribble had been warned at Vulture by T. E. Farish of the risk he was taking, but replied that he had fought robbers in Australia and South Africa and was willing to meet any thieves in Arizona. The murderers, Inocente and Francisco Valenzuela and a younger Mexican, probably saw from afar the arrangement of the guards and killed the three at the first fire. The murderers fled southward, headed for Mexico. At the Gila River they separated. They tried to cut the bar with an axe, but failed, so buried the bullion in a cache near Powers' camp. The chase after the murderers was one of the most spectacular ever known in the Southwest, in it participating Sheriff Bud Gray, Hi McDonald, Henry Garfias and Jim Murphy, all hardy and determined men and hard riders. They followed the trail across the blazing desert and the Mexicans narrowly escaped capture. Francisco got safely into Mexico, escaped extradition, and in the course of time died at Altar. Inocente, from Phœnix, later stole back to the cache on the Gila. His absence was marked, however, and a posse descended upon him. Impeded by his golden burden he was unable to travel with any speed. He showed fight and was killed and the bar was recovered. The third Mexican claimed that he was compelled to take part in the robbery and his story was accepted, inasmuch as he had turned state's evidence.

The same Valenzuela gang for years terrorized the section along the Hassayampa River, robbing placer miners and killing wherever they were opposed. They also are charged with the murder of Barney Martin and his family in the summer of 1886. Martin had kept a little store and had acted as stage agent at Stanton, in the Antelope Hill section of Southern Yavapai County, where he had incurred the enmity of the local gang of cutthroats and thieves. Martin finally sold out and, with the money for the sale of his property in his pocket and with his wife and several children, he loaded his few remaining effects into a covered wagon and started for Phœnix. Few men were more popular than he and his departure was generally regretted, so his way southward was one of welcome and good cheer. Capt. M. H. Calderwood, at Coldwater Station on the Agua Fria, had been notified of the impending arrival of the Martin family and prepared a royal reception. But several days passed after the stage had reported Martin's departure from the Brill Ranch, on the Hassayampa, and Calderwood became alarmed. Not far from the present Hot Springs Junction was found the track of a wagon, leading off into little hills. This track was followed a few miles, and the trailers came upon the remains of a wagon that had been burned and in the ashes the charred bodies of Barney Martin and the members of his family. The murders had been committed on the highway and the wagon had been driven away from the road to try to hide the evidences of the crime. Though revenge is supposed to have been a cause of the crime, as well as cupidity, nothing more than suspicion of the assassin could be fastened upon anyone, though Governor Zulick offered a reward of $1,000. The bodies of the murdered ones were brought back to the Brill ranch and there interred, the headstone a perpetual reminder to those who thereafter passed of the dangers of pioneer days.

There was an understanding at the time that these Mexican outlaws had a secret leader in S. P. Stanton, who was assassinated by a young Mexican about 1886, in revenge for an insult of several years before to the boy's sister. Stanton long was a resident among the very worst Mexican population of the Southwest, ostensibly a storekeeper, supplying goods to the Mexican placeros. He was charged with complicity in the Barney Martin murder, but nothing could be shown against him. There was a general belief that Stanton had been a Catholic priest, but this was denied in 1901 by Hector Riggs, who told that "Stanton was never a Catholic priest, though he went far upon the road toward priesthood. He was expelled from Maynooth College for immoral conduct, and, though he took his case in person to Pope Pius IX, he failed to get himself reinstated."

A FEMININE ROAD AGENT

In 1889 Arizona rejoiced in the possession of a female bandit, Pearl Hart, who carried shooting irons and who robbed stages. She was a woman of the half-world, with an insatiable craving for morphine, cigarettes and notoriety. According to Sheriff Bill Truman of Pinal County, she was a very tiger-cat for nerve and endurance and would have killed him if she could. When the sheriff came upon the woman and her male companion, Joe Boot, as they were sleeping on the ground in camp in the San Pedro Valley, a couple of days after they had robbed a stage in Kane Springs Cañon, she was attired for the road in rough shirt and blue overalls. Pearl for a while was held in the county jail at Tucson

where, in October, she succeeded in escaping by cutting through a light partition. She was recaptured in Deming, New Mexico, with a hobo companion, about the time, it is understood, she was preparing to depart with a bandit gang, wherein she was to rank as queen. She was tried in Florence in November, 1898. A sympathetic jury found her not guilty of stage robbery. Judge Doan thereupon "roasted" the jurors and dismissed them from the panel for the balance of the term. The woman was then again tried on the charge of robbing the stage driver of a revolver. She was promptly convicted and was sentenced for a term of five years to the penitentiary of Yuma, where she was the sole female prisoner. Her companion, Boot, was given a sentence of three years. The woman was paroled by Governor Brodie in December, 1902, upon the condition that she at once establish her residence at some point outside of Arizona. Her real name was Taylor and her home had been in Toledo, Ohio.

TRAIN ROBBERS AND THEIR PURSUIT

March 21, 1889, an Atlantic & Pacific train was stopped at the Cañon Diablo station by four robbers, who, after searching the contents of the express strong box, fled northward. The scene of the robbery was in Yavapai County and so the trail was taken by Sheriff Wm. O. O'Neill, with three deputies. The posse, after a chase of 300 miles, consuming two weeks, finally sighted their men in Southeastern Utah, forty miles east of Cañonville. Then came a pitched battle, in which over fifty shots were fired, though the only effect was the wounding of one of the robbers' horses. The fugitives, leaving their horses behind, plunged into the mountains on foot, soon to be run down by the Arizonans. The capture included Wm. D. Stirin, "Long John" Halford, John J. Smith and D. M. Haverick. Upon them was found about one thousand dollars. A rather amusing incident was the attempt of citizens of Cañonville to arrest the desperadoes, but the attempt failed, for the large citizens' posse was held up by the robbers and made to stack arms and retreat. The return to Arizona was made around by Salt Lake. On the homeward journey Smith escaped through a car window.

Another train robbery, September 30, 1894, occurred near Maricopa, where the through express was boarded by Frank Armer, a Tonto Basin cowboy, only 20 years old, who climbed over the coal of the engine tender and, at the muzzle of a pistol, stopped the train where a confederate, Rodgers, was in waiting. Little booty was secured. The two men, before this, had ridden in circles around the desert in order to throw pursuers off of their track, but Indians, taking a broad radius, soon picked up the trail. Rodgers was caught far down the Gila, and Armer was taken at the home of a friend, near Phœnix, after a battle with Sheriff Murphy and officers in which he was desperately wounded. At Yuma penitentiary, under a thirty-year sentence, he made three attempts to escape. He dug a tunnel that was discovered when it had nearly connected his cell with the world beyond the great wall. A second time, when he broke for freedom from a rock gang, he had to lie down under a stream of bullets from a Gatling gun on the wall. A third time he secreted himself while at outside work and eluded the guards, but was run down in the Gila River bottom by Indian trailers. Finally, prostrated by consumption, he was released, barely in time to die at

home in the arms of his mother. Rodgers, sentenced to a forty-year term, served only eleven, then being discharged for exemplary conduct.

SILVER DOLLARS STREWED THE DESERT

Grant Wheeler and Joe George on January 30, 1895, held up a Southern Pacific train near Willcox and robbed the through safe of $1,500 in paper money. The safe was broken open by dynamite, upon the explosive piled sacks of Mexican dollars, of which in the car there were about 8,000. The result was eminently satisfactory, the safe not only being cracked open, but the express car nearly wrecked as well, the silver pieces acting upon it like shrapnel, sowing the desert around with bent and twisted Mexican money, which also was found deeply embedded in telegraph poles and in the larger timbers of the car. Sections of the telegraph poles and of the car, stuck full of silver dollars, like plums in a pie, were valued souvenirs for years thereafter in railroad and express offices along the coast. Yet only $600 was lost from the silver shipment. The robbers escaped into the hills. They returned for more on February 26, when they stopped a train at Stein's Pass, but made the mistake of disconnecting the mail car instead of the express car, so got no booty. The trail was taken up by W. M. Breakenridge, then in charge of the peace of the Southern Pacific line in Southern Arizona, who trailed Wheeler into Colorado and ran him down near Mancos April 25. The next morning the outlaw, surrounded and appreciating the hopelessness of his position, after a brief exchange of shots with the pursuing posse, committed suicide.

JIM PARKER'S CRIMINAL CAREER AND SORRY END

One of the sensational crimes in the first few days of 1897 was an attempted robbery of the Santa Fé express train at Rock Cut in Mohave County by outlaws headed by Jim Parker, a Northern Arizona cowboy. The gang is believed to have had six members, but only Parker and one other participated in the holdup. While Parker covered the engineer and fireman, his partner cut off one car of the train, mistakenly thinking it the express car, but it was only mail that was found when Parker ordered a stop a few miles up the line. There he also found that he was acting alone, for his associate in crime had been shot by the overlooked express messenger. Parker took some of the registered mail and started into the wilderness with it. The fourth morning thereafter Sheriff Ralph Cameron tracked him down in the snows of the Grand Cañon region, where Cameron knew about all the rocks and assuredly all the trails there were. After conviction at Prescott, Parker in May headed a jail break. The jailer was felled and Lee Norris, assistant district attorney, a young lawyer of brightest prospects, was killed as he was encountered in the corridor of the courthouse. One of the three who escaped was soon captured. Another, a Mexican, is supposed to have perished from wounds received in a skirmish with a pursuing posse. Parker himself got away on Sheriff Ruffner's best horse, "Sure Shot," and evaded a hundred men for nearly a month. He was finally caught, still with "Sure Shot," by an Indian trader and a dozen Navajo Indians on the very northern edge of the territory as he was making good his escape into Utah. Returned to Prescott, he was convicted of the murder of Norris and thereafter was hanged.

THE COCHISE TRAIN ROBBERY

For a while train robbery had popularity in Arizona, despite a statute passed, though never enforced, making the crime one punishable by death. One of the most daring train robberies of the Southwest occurred about midnight, September 9, 1899. Express Messenger Charles Adair, who had killed an over-adventurous train robber on the same run the year before, stepped to the door as a westbound Southern Pacific express reached the small station of Cochise. As he looked out it was into the muzzle of a revolver and he and the train force soon were lined on the platform with their hands in the air. The express car was detached and run a couple of miles westward. The messenger was known to be ignorant of the safe combination, so the safe was opened with dynamite The loot was rich, comprising a bag full of gold and currency, with value of at least $10,000. The four men involved struck into the Chiricahuas, unsuccessfully followed by posses headed by Sheriff Scott White and George Scarborough.

The truth concerning the Cochise robbery came out a few months later (February 21, 1900) following a supplemental train robbery, that of the express car of a Benson-Nogales train, which was held up at Fairbank. The hero of the affair was Express Messenger Jeff D. Milton, who fought till incapacitated by a bullet wound that terribly shattered an arm. The wounded messenger who was given the highest praise for his defense of his trust, in previous days had been a cattle association detective, a customs inspector and chief of police of El Paso. The bandits numbered five. One of them was captured the next morning six miles from Tombstone, where he had fallen from his horse and had been abandoned by his companions. He was Jess Dunlap, alias Three-Fingered Jack, a well-known cowboy horsethief. He died a few days later in the Tombstone hospital, having received in the body a buckshot load from Milton's shotgun. In a pass of the Dragoon Mountains Sheriff White captured three of the others, who proved to be the leader, Bob Burns, and John and Lewis Owens. With them was the booty, which consisted of only seventeen Mexican pesos. The robbers had expected that the Fort Huachuca payroll would be in the express car safe. Soon afterward the score was made complete by the arrest at Cananea of Tom Yoes, alias "Bravo John," who had been shot in the leg.

Before Dunlap died, he gave the officers the first authentic information concerning the Cochise robbery, implicating Burt Alvord, constable at Willcox, and William Downing, a well-to-do cattleman. There was some humor in the situation, owing to the fact that Alvord had been one of the noisiest and most active pursuers of the train robbers. Later W. N. Stiles, deputy constable at Pearce, confessed the details of the whole affair. He and another cowboy, Matt Burts, did the work alone, but the job was planned and supplies for it were furnished by Alvord and Downing. Alvord had provided the dynamite, secured by breaking into a Willcox powder house. Immediately after the job was done, the spoil was taken to Alvord and Downing at Willcox for division. Stiles received only $480 as his share and consequent dissatisfaction is said to have been the reason for his confession. It is evident, however, that Stiles suffered from remorse, though not for his crimes. Considered merely a witness for the Government, he was allowed some liberty. He repaid confidence in April, 1900, by entering the Tombstone jail and, after shooting the jailer through the leg, releasing Alvord and "Bravo John." Downing refused to leave, and

Burts, who had been arrested in Wyoming, happened to be outside at the time with a deputy sheriff. So the trio hung upon them all the weapons they could find in the sheriff's office and took to the hills on stolen horses. They were next heard of at Alvord's ranch near Willcox, where they made announcement that they proposed to rob a few more Southern Pacific trains. When the Tombstone Prospector criticised the sheriff's office in connection with the escape, the sheriff's brother replied by hammering Editor Hattich over the head with a revolver. In addition to various rewards offered by the sheriff and territorial authorities, W. C. Greene offered $10,000 for the capture of the two outlaws, who were understood to have especial animus against himself.

Alvord surrendered in 1902, tired of the free life of a roving bandit, and expressed himself well pleased at being back where he would be sure of three square meals a day. He had been in the bandit business three years since he laid the plans for the great train robbery at Cochise. He had spent most of the intervening time in Sonora, where Captain Mossman of the Rangers followed and secured expression of a wish to return to the United States if assured of reasonable clemency. But it was to his old friend Sheriff Del Lewis that the surrender was made on the border near Naco. Alvord's way was made easier by the fact that he had assisted in the capture of Chacon, a notorious Mexican murderer. At Tombstone he was discharged from custody, owing to the events of the territorial statute that provided death as the only penalty on conviction of train robbery, but he was rearrested and taken to Tucson on the charge of interfering with United States mails. Alvord and Billy Stiles came into the limelight again in December, 1903, when they dug out of the Tombstone jail and for the second time escaped. A week before Alvord had been convicted on the charge of robbery of the mails. He had been held at Tombstone merely as a witness in the case against Stiles. Alvord later was taken at Naco, but had only two years' imprisonment, managing to evade arrest on other charges at the time of liberation at Yuma. He is said to have made his way to Panama, where he bossed Spanish-speaking laborers for a while, thence departing for Argentina.

When Downing was tried on a charge of train robbery he was acquitted for the reason that conviction would have meant hanging, but on another charge he served a seven-year term. Downing was happily removed from necessary and continuous consideration in Arizona by a pistol bullet in August, 1908. He had used bad judgment in defying Territorial Ranger Speed, after terrorizing Willcox for months. After his death it was learned that he had been a member of the notorious Sam Bass gang of Texas and had been driven out of that state by Texas rangers. In Arizona he had served two penitentiary sentences, one for train robbery and one for shooting Robert Warren. Burts went to Yuma for a term and was followed by Stiles, who surrendered in the summer of 1900. The latter was reported killed in December, 1908, while working in Nevada, where he was known under the name of Larkin. The killing was said to have been assassination, the man shot in the back while leading a horse.

ONLY ONE LEGAL HANGING IN PHŒNIX

Maricopa County in all its history has had but one legal execution, that of a Mexican boy, possibly 18 years of age, by name Demetrio Dominguez, who had murdered, in the Bradshaw Mountains, a wood camp foreman who had dis-

charged him from employment with, possibly, unnecessary severity. Dominguez located his victim, a large and powerful man, in a stage coach on the Prescott Road, near Gillette and, in the middle of the night climbed into the stage and found his quarry, knifing him to death. The official surveyors of Yavapai and Maricopa counties had to jointly meet to determine the venue of the crime, which was established only a few feet south of the joint county line. The trial was held in Phœnix in the fall of 1880 and in November Sheriff Rube Thomas hanged the lad on a scaffold erected in the old cemetery, in the southwestern part of the village, very near to a grave that had been provided. The Mexican population resented the conviction, and so the cortege from the jail to the scaffold, a distance of over half a mile, had an escort of about fifty citizens, armed with rifles.

CHAPTER XL

SOUTHWESTERN OUTLAWS

The Earps and Their Career at Tombstone—What It Cost to Take Sheep into Pleasant Valley—Justice as Rough Hewn on the Frontier—Arizona Rangers and Their Good Work—Arizona's Penitentiaries—End of the Wild West Era.

Among the most notable of Arizona's many exponents of the gospel of violence unto all men were the Earps, who early placed Tombstone on the map as well deserving its cheerless appellation. Wyatt Earp in 1881 was a deputy United States marshal and Virgil was city marshal, offices that afforded legal standing in the affairs in which they were engaged. They were very much at outs with Sheriff Johnny Behan, with whom they divided the influence of the gamblers, who had much to say in those days concerning the administration of affairs. All the Earps had been professional gamblers. They were charged, first and last, with about half of the robberies that were of such frequent occurrence on the roads leading out from camp. It is told that, while not actively participating, they were parties to a notable robbery of the Bisbee stage, that the actual work was done by Frank Stillwell, and that the primary cause of trouble betwen Stillwell and the Earp gang arose out of his refusal to divide up the spoils. Bud Philpot, a well-known stage driver, was killed on the box of the Benson stage, near Contention. Bob Paul, later United States marshal for Arizona, was riding with him at the time, as guard, and it is possible that the bullet that hit the driver was intended for the messenger. The Earps and Doc Holliday were absent from the town at the time of this particular episode, but returned soon after from a jaunt into the country. They were not arrested. The shooting of Philpot generally was charged to Holliday. John Dunbar remembers that that particular day he had let Holliday have a horse. If it was from stage robberies that the Earps derived the major part of their income, the money only served for the purpose of dissipation. Another factor was that the town really was terrorized and the larger part of the population simply was trying to keep out of trouble and said little of things of which many knew. So popular support was not given to any effort toward the enforcement of the law or the detection of criminals.

WARFARE OF THE EARPS AND CLANTONS

Undoubtedly the most notorious episode of Tombstone's early history occurred October 26, 1881. The Clanton gang of cowboys had refused to recognize the local supremacy of the Earps, and there was bad blood between the factions.

On the night of October 25, Ike Clanton, a prominent, though decidedly not plucky, member of the cowboy faction, had been arrested by City Marshal Virgil Earp and had been fined $50 for disorderly conduct, which appears to have been merely in objecting to the marshal's abuse. On the morning of the 26th of the Clanton gang in Tombstone were Tom McLowery, Frank McLowery, Billy Clanton and Ike Clanton. They had appreciated the intimation that Tombstone was unhealthy for them and had saddled their horses to leave for their home ranch in the Babacomari Mountains. The horses were in the O. K. Corral, which fronted on two streets. Fearing trouble, they planned to leave by the rear gate, on Fremont Street. Ike Clanton and Tom McLowery were not armed, for both the evening before had had their pistols taken from them by the city authorities. The other two had revolvers.

The men were leading their horses out of the gate when they were confronted, almost from ambush, by four of the Earps, Virgil, Wyatt, Morgan and Jim, and by Doc Holliday. Virgil Earp, armed with a sawed-off express shotgun, and accompanying his demand with profanity, yelled, "Throw up your hands." But he didn't wait for the action demanded and shot almost as soon as he spoke. Tom McLowery showed his empty hands and cried, "Gentlemen, I am unarmed." Holliday answered with the discharge of his shotgun. Billy Clanton fell at the first fire, mortally wounded, but rolled over and fired two shots from his pistol between his bent knees. One shot "creased" Morgan Earp across the shoulder and he fell to the ground. Ike Clanton ran into a vacant lot and escaped. Frank McLowery remained, fighting bravely, and, holding his horse by the bridle, fired four shots at the three Earps in front of him. One bullet hit Virgil Earp in the calf of the leg. McLowery became aware that Holliday was shooting at him from the rear and had turned to answer the fire when his pistol hand was hit. He then raised his revolver with both hands and shot, striking Holliday's pistol holster. At the same moment Morgan Earp rolled over and shot from the ground, his bullet striking McLowery on the temple, killing him instantly. The Earps and Holliday then marched back to the main part of the town and surrendered themselves. They were examined behind closed doors by Justice of the Peace Spicer, who discharged them as having acted as peace officers in the performance of their duty.

Thereafter Virgil Earp received a bad wound in the arm, shot one night by some unknown person concealed in a building. Soon after, Morgan Earp was killed in an Allen Street saloon, about 9 p. m., while playing billiards, his assassin shooting through a rear glass door, himself hidden in the darkness. The murderer was supposed to have been Frank Stillwell, a cowboy of the outlaw stripe. If it were Stillwell who did the shooting, he established a reasonable alibi by being in Tucson early the next morning. Ike Clanton already was in Tucson, under arrest for a stage robbery on the road between Tucson and Bisbee. A few days later, the Earps, Holliday and one Johnson, started for California in charge of Morgan Earp's body. The train, taken at Benson, arrived in Tucson about dusk. Ike Clanton, out on bail, learning of the presence of his enemies, secreted himself, but Stillwell, possibly to maintain his attitude of innocence, went to the depot and walked slowly along the train as it was drawing out. The next morning his body, riddled with buckshot, was found at the head of Pennington Street, possibly a hundred yards from the tracks, back of the railroad hotel.

It was assumed that one of the Earps had jumped off, shot Stillwell and then regained the train.

At Rillito station, a few miles westward, all but Virgil Earp left the train. They walked back to Tucson, and, a short distance east of the town, flagged a freight train and on it went to Benson, where they got horses and returned to Tombstone. There Sheriff Behan received a telegram to arrest them. When the sheriff notified them that they were under arrest they directed him to a torrid region, secured fresh horses and rode out of town. They were next heard from in the Dragoon Mountains, where they shot and killed a Mexican who was chopping wood for Pete Spence, one of their mortal enemies, possibly irritated over not finding Spence himself. Thence they rode to Hooker's Sierra Bonita ranch, where the owner gave them fresh mounts. They rode across country to Silver City, New Mexico, where they disposed of the horses and took a train for Colorado.

On hearing of the refuge of the Earp gang, Governor Tritle on May 16, 1882, issued a requisition on Governor Pitkin of Colorado, asking the return of Wyatt and Warren Earp, Doc Holliday, Sherman McMasters and John Johnson, all charged with the crime of murder. The requisition was refused on the grounds that the papers were defective in form and because Holliday already was under indictment for a crime committed in Colorado. June 2, Governor Tritle sent amended papers, to again meet rebuff, Governor Pitkin replying on the ground that he "did not consider it possible for any agent to deliver the parties named in safety to Tucson." Just the character of influence brought upon the governor of Colorado does not appear at this late date. It is probable the people of Tombstone cared little, as the exile of the Earps was the first possible move toward a lasting peace, which then began to be felt.

PERSONAL HISTORY OF THE EARPS AND HOLLIDAY

Virgil Earp died of penumonia, in Goldfield, Nevada, October 19, 1905, aged 63 years, and was buried in Portland, Oregon, where a daughter lived. He had been married twice. Of the flood of reminiscences, brought up at the time of his death, much was made public beyond the more notable episode of his Tombstone career. He came to Arizona first in 1876, in company with his brothers, Wyatt and Morgan, and Doc Holliday. While Ed Bowers was sheriff, Prescott was visited by two cowboys from Bradshaw Basin, who enjoyed themselves in true cowboy fashion, shooting up saloons, finally riding out of town firing their pistols as they went. They camped at the Brooks ranch, and sent back word that they would remain in case the sheriff wanted them bad enough. Bowers organized a posse, of which Virgil Earp was a member. In a pitched battle that followed, Earp found one of the cowboys crouched under an oak tree, reloading his gun, and shot him twice, one bullet passing through his heart and the other only about two inches from the first. It was remarked, when the body was taken away, that between the man's teeth was still a cigarette he had been smoking when shot. The other cowboy also was brought in prostrate, dying two days later. Virgil Earp came back to Arizona, to the scene of his old exploits in Yavapai County, and engaged in mining in the Hassayampa district. In 1900 he was nominated for sheriff, but failed to make the race. He had seen service in the Civil War in an Indiana regiment of volunteers.

Wyatt Earp went to Colton, California, where relatives lived, and where he later was elected chief of police. He was given much publicity in his capacity of referee at the Sharkey-Fitzsimmons fight in San Francisco, in which his decision, awarding the battle to the former, was sustained by his reputation as a handy man with a gun. He was in Nome in its boom period.

Holliday died of consumption at Glenwood Springs, Colo. Warren Earp, the youngest brother, a stage driver, in the summer of 1900 met his end at Willcox, where he was killed by John Boyett in a way that a coroner's jury considered justifiable.

In 1882 conditions were so bad in Southeastern Arizona that President Arthur issued a proclamation calling upon bandits to disperse and threatening extermination at the hands of the military authorities and United States marshals. This followed a letter from Acting Governor Gosper to the secretary of the interior calling attention to the seeming inability of the territory to suppress the outlaws.

Doc Holliday, the right bower of the Earp clan, possibly best was described by the equally famous Bat Masterson, who was interviewed on the subject, and whose history of the once-distinguished Arizonan, before his local advent, may as well be quoted:

> I never liked him and few persons did. He had a mean disposition and differed from most of the big gun fighters in that he would seek a fight. He was a consumptive and physically weak, which probably had something to do with his unfortunate disposition. He was of a fine Georgia family and was educated as a dentist. He went West after shooting down several defenseless negro boys in a quarrel as to who should occupy a certain swimming hole. He made Dallas in the early seventies and hung out his shingle, "J. D. Holliday, Dentist," but he soon quit that for gambling. His shooting of the negroes became known and so he got a reputation as a bad man from the start and associated on equal terms with men of more notable record. He finally killed a man in Jacksboro and fled. Then he killed a soldier, and to avoid being caught by the military authorities made a desperate flight to Denver, across 800 miles of waterless, Indian-infested desert. He made Denver in '76. The law forbade him to carry a gun there, so he slipped a knife into his boot leg and presently carved up the face of one Bud Ryan, who bears the marks to this day. He then fled to Dodge City, where I first met him. He kept out of trouble in Dodge somehow, but presently wandered to Trinidad, Colo., where the first thing he did was to shoot and seriously wound Kid Colton. Then he escaped to Las Vegas, a boom town in New Mexico, where he disagreed with Mike Gordon and shot him dead in a doorway.

In their palmy days and even later the Earps had many friends, generally enemies of the even rougher element that the brothers opposed. It was claimed that in their former abiding place, Dodge City, Kansas, as well as in Tombstone, they were found opposed to the criminal element and that they never killed a man whom the community was not pleased to lose. Especially has been commended their good work in shooting "Curly Bill," who had considered himself well above the law and left to go free after his cold-blooded murder of White, the first city marshal of Tombstone. Such a man as E. B. Gage has been quoted as stating that "Whatever Virgil Earp did in Tombstone was at the request of the best men in Cochise County."

OFFICIAL PROTEST OVER LAWLESSNESS

From 1879 to 1884 to the Indian atrocities was added the trouble caused by the advent of scores of outlaws, possibly driven out of other localities, possibly

attracted by reports of Arizona's remarkable mineral development during that period.

In a message to the Twelfth Legislature, in March, 1883, Gov. F. A. Tritle sharply called attention to the "thefts, murder and general lawlessness" then prevailing in the southern part of the territory and especially in Cochise and neighboring counties. The Tucson Star of March 28, 1882, related: "The officials of Cochise County, with all the available strength they can muster, seem to avail nothing in putting down the bloodthirsty class infesting that county. Ex-city and United States officials have taken to the hills as so many Apaches. A lot of loose marauding thieves are scouring the county, killing good industrious citizens for plunder. The officials are out in every direction, but nothing is accomplished." In the following month the Tombstone Epitaph gave added testimony, summing up thusly: "The recent events in Cochise County make it incumbent upon not only officials but good citizens as well to take such positive measures as will speedily rid this section of that murderous, thieving element which has made us a reproach before the world and so seriously retarded in the industry and progress of our county."

The President of the United States was appealed to by petition of southern Arizonans to ask Congress to make an appropriation of $150,000 to be used to place a force of mounted police or rangers in the field to pursue and arrest criminals and prevent raids from hostile Indians. Citizens of Tombstone subscribed $5,000 for maintenance of a small body of special officers, led by Deputy Marshal John H. Jackson.

THE BLOODY PLEASANT VALLEY WAR

One of the bloodiest features of Arizona's oversanguinary history was the Pleasant Valley, or Tonto Basin, war. It began with the driving southward from near Flagstaff of several bands of sheep, reputed to have been the property of the Daggs brothers. Theretofore the Rim of the Mogollons had been considered the "dead line," south of which no sheep might come. There were allegations at the time that the Tewksbury brothers had been employed to take care of any trouble that might materialize over the running of sheep out of bounds. At first there seemed to be little active opposition, but early in 1885 a Mexican sheepherder was killed. The opposition centered around the Graham family, to which gathered a considerable number of cowboys and cattlemen.

Tom Graham later told how at first he tried to use a form of moral suasion. Not wishing to kill anyone, there would be a wait till the sheepherder began the preparation of his evening meal and then, from the darkness, Graham would drop a bullet through the frying pan or coffee pot. This intimation out of the night usually was effective in inducing the herder to forget his hunger and to move his band very early the next morning.

Several old residents of the Tonto Basin section, lately collaborating on the subject, decided that twenty-nine men had been killed in the war and that twenty-two graves of men of the Graham faction could be found in the vicinity of the old Stinson ranch. Only four of the Tewksburys died, but the most awful feature of all was the manner of the death of two of them. John Tewksbury and one Jacobs had brought in bands of sheep, "on shares." Both were ambushed near the former's home and killed. Their bodies, in sight of the house,

were left to be devoured by hogs, while members of the Tewksbury family were kept away by a shower of bullets from a hillside on which the Grahams watched. Finally Deputy Sheriff John Meadows entered the valley, to bury what was left, defiant of the wrath of the Grahams. The Tewksburys were half-bloods, their mother a California Indian, and it is probable their actions thereafter were based upon the Indian code of revenge. Few were left of the Blevins family of the Graham faction. The men shot at Holbrook by Sheriff Owens were active Grahamites. The elder Blevins was killed in the hills near the Houdon ranch and a skeleton found in after years is assumed to have been his. Al Rose was killed at the Houdon ranch by a party of a dozen Tewksburys, as he was leaving the house in the early morning. The favorite mode of assassination was from ambush on the side of a trail. One of the last episodes was the hanging of three of the Graham faction, Scott, Stott and Wilson, on the Rim of the Mogollons by a large party of Tewksburys. The three had been charged, possibly correctly, with wounding a Tewksbury partisan named Laufer and summary retribution was administered by hanging them on pine trees, hauled up by hand, with ropes brought for the purpose. John Graham and Charles Blevins were shot from their horses in the fall of 1886 by a posse from Prescott, headed by Sheriff William Mulvenon, as the riders were approaching under the impression that the officers had departed from a mountain store in which the visitors still were in hiding. Both were mortally wounded. Mulvenon made several trips into the Basin. There was a bloody battle at the Newton ranch, which had been burned and abandoned. Two cowboys, John Paine and Hamilton Blevins, had been killed at the Newton ranch, while William Graham had been ambushed and killed on the Payson trail. George Newton, formerly a Globe jeweler, was drowned in Salt River, while on his way to his ranch and it was thought at the time he had been shot from his horse, though this is not now believed. His body never was found, though his widow offered a reward of $10,000 for its recovery. Sheriff O'Neill of Yavapai County led a posse into the valley, but most of the damage then had been done.

Resident in the vicinity was J. W. Ellison, one of the leading citizens of the basin. He states that at first the Grahams had the sympathy of the settlers, all of whom owned cattle and appreciated the danger to their range from the incursion of locust-like wandering sheep bands. But the fighting soon became too warm for any save those immediately interested, for the factions hunted each other as wild beasts might have been hunted. Mr. Ellison frankly states that he saw as little of the trouble as he could and is pleased that he managed to avoid being drawn into the controversy.

In the end the Tewksburys were victorious, with a death list of only four. One of the fleeing Grahams was Charlie Duchet, a fighter from the plains. He had celebrity from an affray in which he and an enemy were provided with Bowie knives and were locked together in a dark room. It was Duchet who emerged, but permanently crippled by awful slashes on his hands and arms.

The end of the war was the killing of Tom Graham. His clan about all gone, in 1892 he had fled from Tonto Basin and had established himself and his young wife on a farm southwest of Tempe. He had harvested his first crop of grain and was hauling a load of barley to town. When about opposite the Double Butte school house he was shot from ambush and his body fell backward upon

the grain. The deed was witnessed by two young women, named Gregg and Cummings, who positively identified Ed Tewksbury as one of the murderers. A. J. Stencel, a Winslow cowboy, later declared that he had met Tewksbury, riding hard on the Reno road, on his way back to Pleasant Valley, 120 miles, whence a strong alibi later was produced. Tewksbury and one of his henchmen, John Rhodes, were arrested and charged with the crime. Rhodes was discharged at a preliminary hearing before a Phœnix justice of the peace, after a dramatic attempt on his life by Graham's widow. She tried to draw from her reticule her husband's heavy revolver, but the hammer of the weapon caught, giving time for her disarmament. Tewksbury was found guilty of murder in the first degree, although well defended. His attorneys, however, found that his plea of "not guilty" had not been entered on the record of the District Court and so the verdict was set aside. There was a second trial, at Tucson, on change of venue, at an expense probably of $20,000 to Maricopa County, resulting in a hung jury. Over 100 witnesses had been called. Then the case was dismissed. Tewksbury died in 1904 in Globe, where, for a while, he had served as a peace officer.

Soon after the Graham murder, a lad named Yost was assassinated while traveling through Reno Pass, on the Tonto Basin road. There was general belief at the time that murder had been committed by the Apache Kid, but it was considered significant that Yost had been connected with the Graham faction.

Thus ended one of the bloodiest range wars of the West and, like most wars, one that had no result save unnecessary cruelty and bloodshed.

ASSASSINATION OF A. J. DAGGS

The Daggs brothers had been hard hit financially by the wool slump during the first Cleveland administration. Two of them, P. P. and W. A., moved to Tempe, where they secured control of the Bank of Tempe and where they purchased thousands of acres of land for the consideration of remotely dated notes. The bank soon thereafter failed, with practically no cash left in the treasury and no satisfactory accounting of just where the cash had gone. The land had been transferred twice and thrice, so the original sellers generally got nothing. Two more Daggs brothers, R. E. L. and A. J., came from Missouri to handle the long-continued legal trouble that had arisen over these transactions. A record of family immunity from violence finally was broken when A. J. Daggs was assassinated. Though mainly engaged in corporation work in Phœnix, he had secured valuable mining interests in the Superior District and on January 1, 1908, paid a visit to his claims, accompanied by a body-guard, George Ditmore. From a distant hill top a prospector saw the men shot from ambush. Daggs dropped and two men broke from bushes beside the trail to pursue and slay the fleeing Ditmore. Then the pair returned and completed their bloody work. It developed, however, that Daggs had utilized his few remaining moments of life. Already mortally wounded, he had mustered up enough strength to scribble in his note book, "Stewart and Fondren have killed me," then threw the book and pencil behind a near-by bush, where later they were found. Robert J. Stewart and Edward Fondren were promptly arrested. They had quarreled with Daggs over mining claims and had made threats on his life.

but the prospector who had seen the murderers from afar could not identify them, and they might have escaped punishment had not one of them, in his cups, boasted of his deed. Both went to the penitentiary.

THE LAW WEST OF THE PECOS

Frontier justices are famous for the rough hewn brand of law dispensed in any court "west of the Pecos," their variations on ordinary judicial procedure sometimes based on ignorance and sometimes on sheer contempt of precedent. Possibly sometimes they were mere instruments of the community, such as Justice George Allen of Globe, on whom was placed a decision that resulted in the summary execution thereafter of two murderers. In Mohave County in its earliest days, a Mineral Park justice is said to have sentenced a murderer to be hanged and the district attorney had trouble in keeping the camp constable from executing the sentence. A Tempe justice of the peace in the eighties divorced a Mexican couple which he had united a few months before. A southern justice, with the courage of his convictions and backed by a rather good knowledge of the law, took it upon himself to pronounce unconstitutional, illegal and void an act of Congress, and it is probable he was right. Another justice of the peace in Graham County, finding a willing maiden, but no available magistrate or minister, himself performed his own marriage ceremony, answering the questions propounded to himself by himself and finally making a notation on his marriage records and issuing himself a certificate.

In the early part of the last decade Judge Fitzgerald occupied the bench of the First Judicial District at Tucson. The judge proposed to check the laxity of conduct he thought he found in his courtroom. The attorneys were informed that smoking would not be tolerated and that coats must be worn under pain of displeasure of the court. The grand jury was called for the first time. Among the jurors summoned was a brawny miner, who appeared in his usual costume of dark shirt and overalls. "What do you mean, sir," thundered the magistrate, "by appearing in this courtroom in your shirt sleeves? Where is your coat?" "At home, Judge," mildly responded the juror. "Then go and get it. Not a word, sir, or I'll commit you for contempt." About two weeks later, the miner, dressed as the court had demanded, stepped within Judge Fitzgerald's range of vision. To the irate court he tendered the explanation that his home and coat were both in the mountains, near the Mexican border, over a hundred miles away, and that he had but obeyed the orders of His Honor.

BURNETT, THE CZAR OF CHARLESTON

Possibly Arizona's most noted justice of the peace was Jim Burnett of Charleston, who was killed by W. C. Greene in Tombstone. According to an old resident of Cochise County, the degree of lawlessness in Tombstone "wasn't a marker to Charleston, where they began the day at dark and where the San Pedro cowboys were allowed the fullest of swing. But the toughest of all was Burnett." Burnett had a number of followers, who seemed to do about what he wanted and who maintained him in authority as dictator of the town. Burnett made only one quarterly report to the Cochise County Board of Supervisors, and with it he made demand for a balance of $380 in fees. The super-

visors cut it down. Burnett thereafter pocketed all fees and fines and advised Tombstone that, "Hereafter the justice's court of Charleston precinct will look after itself." Jack Schwartz, a saloon keeper, killed an assistant foreman in one of the mills, one Chambers. Burnett is said to have levied a fine of $1,000. Schwartz, not exactly satisfied with the judgment, is said to have consulted Mark Smith, with the idea that an appeal might be taken from the justice's court. The lawyer assured him that he was getting off light. Schwartz appreciated the gravity of his crime just in time to escape, before District Attorney Lyttleton Price sent a posse for him from Tombstone with a warrant. An instance of Burnett's operations was when he walked up to Jack Harrer when that desperado was crazy with drink, pulled him from his horse, disarmed him and on the spot fined him twenty head of three-year-old steers. Through such transactions as this and through trading in cattle that had "strayed" across the border, the Charleston justice attained a competency. It is singular that his killing was for one crime that in all probability he did not commit.

ORGANIZATION OF THE ARIZONA RANGERS

The organization of the Arizona Rangers was on recommendation of Governor Murphy to the Legislature of 1901. As the first captain was appointed Burton C. Mossman, a Northern Arizona cattleman, who proceeded with an organization of a company that at first consisted of only twelve men, with Dayton Graham of Cochise County as first lieutenant. Mossman made his organization wholly non-political and men were sought for enlistment on account of their records as efficient officers, good shots and good frontiersmen, well acquainted with the country. In some cases, men were enlisted whose previous records would not have entitled them to distinguished consideration in a Sunday school, but who had reputation for courage and endurance. Such men usually gave a very good account of themselves. According to Mossman: "I have never known a body of men to take a more intense interest in their work. They were very proud of the organization, proud of the record that they were making, and there was great emulation among the men to make good." Every section of the territory had its representatives, so that wherever the command might be called there would be some ranger familiar with the country, water holes, trails, etc. During the first twelve months after organization, 125 arrests were made of actual criminals, who were sent to the penitentiary or back to other states to answer for crime. The deterrent effect of these many captures was great, serving to drive from the territory a large percentage of its criminal population.

Organized in August, the rangers proved effective from the first. In November two of its members, Carles Tafolla and Dean Hamblin, reinforced by four Saint Johns cattlemen, chased the Jack Smith band of outlaws into the Black River country south of Springerville. The outlaws were headed for Mexico with a band of stolen horses and were surprised while in camp. After apparent surrender, they dodged behind trees and opened fire. Tafolla and a cattleman named Maxwell were killed and two of the outlaws wounded. The latter escaped in the darkness on foot, leaving their camp outfit and horses behind. Captain Mossman, with three more rangers, soon was on the trail, but the gang, stealing fresh horses, managed to escape in the snows of the New Mexican mountains. Tafolla's widow was pensioned by the Legislature.

ARIZONA RANGERS AT MORENCI, 1903

Captain Mossman early established amicable relations with the Mexican authorities, and an agreement was entered into with Lieutenant-Colonel Kosterlitsky of the Mexican Rurales that either should have the privilege of chasing outlaws across the border and that they should work in unison with the definite object of ridding the Southwest of the "rustler" element.

In 1903 the force embraced twenty-six officers. Six years after organization report was made that the rangers in that time had made 4,000 arrests, of which 25 per cent had been for serious felonies. The best work was against horse and cattle thieves. Especial value was found in the fact that the Rangers were independent of politics and were not controlled by considerations that often tied the hands of local peace officers. This very feature, however, led to occasional trouble with disagreeing sheriffs.

After Governor Brodie assumed office a change was made in the leadership of the Arizona Rangers, to the position being appointed T. H. Rynning, who had been a lieutenant of Rough Riders. Under him the organization did splendid work, especially in the labor troubles at Bisbee and Morenci. At the latter point, one episode most worthy of mention was when a band of several hundred rioters, coming over the divide from Chase Creek, encountered a few rangers, commanded by Sergeant Jack Foster. Foster was hailed and a demand was made upon him for his guns. The sergeant, remembering his experience in the Rough Riders, deployed his men along the crest of a ridge and laconically answered: "If you want the guns, come and get them." The rioters concluded to move on, and Foster saved both his rifles and his self-respect.

The history of the rangers, under whatever leadership, was one of devotion and of rare courage, well worthy of a separate volume. Some of it is told in this work, but much more necessarily left unchronicled. There is the story how Ranger Frank Wheeler, with Deputy Sheriff John Cameron, killed Herrick and Bentley, former convicts wanted for horse-stealing, in the course of a battle in the rocks, after the fugitives had been tracked for five days. There might be mentioned, as typical, the encounter in Benson of Capt. Harry Wheeler with a desperado named Tracy, wherein the latter died with four bullet holes in his body and Wheeler received wounds that disabled him for months. There was the case of Willis Wood, an outlaw of worst type, who was taken by Rynning from a roomful of the prisoner's friends. All such things were merely in the day's work.

Rynning resigned to become superintendent of the territorial prison during the period of its reconstruction at Florence and, March 21, 1907, was succeeded by his lieutenant, Harry Wheeler, later sheriff of Cochise County. Wheeler notably was successful in handling difficult border conditions. But politics finally caused the disbandment of the rangers. The Legislature of 1909, striving to take away all prerogatives and power from Governor Kibbey, voted to abolish the force. Since that time county rangers have been authorized, though not as effective, assuredly not as picturesque, as were Wheeler's men. It is possible, however, that the old-time need for the organization no longer is known.

ARIZONA'S OLD PENITENTIARY AT YUMA

Provision was made in 1867 for an Arizona penitentiary building by an act of Congress, that left the designation of the sites of the buildings to the Legis-

latures of the several territories favored. December 7, 1868, was approved an act of the Arizona Legislature locating such prison at or near the Town of Phœnix, then in the County of Yavapai. In 1873, however, the Federal Government had done nothing in the premises and so a legislative resolution was sent to Congress, seeking early construction of the building contemplated, it being told that there was pressing necessity, as criminals under sentence were confined in the insecure county jails, where their health was impaired by reason of close confinement and where useful employment was impossible.

Congress still failing to contribute, on February 12, 1875, was authorized a loan to provide for the erection of a territorial prison and two years later provision was made of a sinking fund. The location finally was fixed at Yuma, where, in 1876, Supt. Geo. Thurlow started with seven prisoners.

Few prisons have had a larger degree of publicity than the old territorial penitentiary at Yuma. It was built upon a site most admirably adapted for the purpose, on a high tongue of land thrust far out into the channel of the Colorado River. It was little more than an open corral, though from the outside, the thick wall, built high of sun-dried adobe brick, with watch towers on the corners and armed wardens pacing the top, it had close similitude to a castle of days medieval. Though the prisoners at night were locked in long tiers of rock-built cells, there was little about the prison itself to hinder escape. The true barriers were the rifles and the old-fashioned pepper-box Gatling gun that was mounted high on one of the corners, where it commanded both the jail yard and the quarry. This same Gatling was used with effect in several outbreaks

October 27, 1887, occurred one of the most serious attempts to escape ever known at the prison In the resultant fight, Convicts L. Puebla, E. Bustamente, José Lopez and F. Vasquez were killed and Superintendent Thomas Gates was seriously wounded. The superintendent had entered the jail yard in the early morning, when he was seized by five knife-armed Mexican prisoners, who, as they pushed him toward the sallyport, demanded their liberty, with Gates' life as the alternative. The convict doorkeeper threw open the main portal in the wall, the gate later closed by Assistant Superintendent J. H. Behan against a threatened exodus of all the convicts. The gang with Gates tried to use him as a shield against the bullets of several prison officers who were closing in. Particularly admirable was the work of old Guard Hartlee, who, from the top of the prison wall, used his rifle as coolly as though at target practice, his rifle bullets finding their marks within a few inches of the superintendent's body. Puebla finally drove his sharp butcher knife into Gates' body, through the lungs, and was about to administer even a more deadly stroke when he was seized by another convict, Barney K. Riggs, who, securing a pistol, shot Puebla near the heart. Riggs himself had a narrow escape from death, for Hartlee's deadly aim for a moment was directed against him, till his defense of the Superintendent became apparent. Riggs, a life prisoner, sentenced from Graham County for murder, was pardoned, of course. Upon leaving the penitentiary he resumed his old ways and, a few years later, was shot and killed in a brawl at Stockton, Texas. Gates never quite recovered from his wound and never regained his old-time spirit. Finally, four years later, in his quarters outside the prison wall, he shot himself through the head and was dead when found, kneeling beside his bed

GUARD HOUSE OF OLD YUMA PENITENTIARY

From Graham County Laustenneau, leader of rioters in the Morenci strike of 1903, and a number of his lieutenants were sentenced to terms in the penitentiary. Laustenneau again was heard from May 28, 1904, when he headed an attempt to break out. An attack was made upon Supt. W. M. Griffith and Asst. Supt. Wilder and both were beaten, though not seriously injured. They were saved by the help of a convict cook, W. C. Buck, who, at the risk of his life, came to the assistance of the officers with a carving knife. Buck left several of the would-be escapes in such shape that they had to be taken to the hospital for surgical assistance. He received a pardon as reward. For his part in the attempted outbreak, Laustenneau was given an additional sentence of ten years, after trial in the District Court at Yuma. He died in prison of consumption, August 20, 1906.

Penitentiary removal was determined upon in the Legislature of 1907, without material opposition from Yuma. Before the change, an appropriation was made of $120,000 for the construction of modern buildings on a site near Florence. The new penitentiary structure was erected almost wholly by the labor of convicts, directed by Supt. T. H. Rynning, himself a practical builder. Within a high concrete wall were placed a number of detention and shop structures, also of concrete, and the prisoners found time, in addition, to build a concrete bridge across the nearby Gila River and later to do much road building.

The deed to the old prison lands had come to the Territory of Arizona with a reservation that the title should return to the City of Yuma whenever the land ceased to be used for prison purposes. So, within the old adobe battlements were placed offices of the Yuma City government and a section of the Yuma schools. To the north of the walls, on a rough pebbly slope, still remains the old prison cemetery, with rough crosses and wooden headboards that usually bear only numbers.

CLEARING AWAY THE HUMAN DROSS

In the listing of crimes of desperadoes, of lynchings and of hangings, the Editor would state that by no means has he tried to illustrate more than typical phases of border outlawry and crime. The lists in any particular intentionally are incomplete and it is possible that there have been passed over many events that might be considered worthy of notice. But enough undoubtedly will be found to show that to Arizona, as the scum of the ocean drifts toward its edge, came many of the worst of humanity, seeking a land without law or religion. This scum had been driven steadily westward and comprised many who had won notoriety in the camps of the plains and Rockies. Most of them are dead, and the greater number died by violence, as they had lived by violence.

It should not be understood that the bloody deeds of these men had any degree of approval from the communities they seem to have dominated. It was easier to let a gun fighter pass than to take up any unorganized and possibly fatal opposition to the wrongs of the community. The days of the "bad man" are gone in Arizona, where the carrying of firearms was made a crime by a Legislature of many years ago. The gambling halls and drinking places they frequented no longer are known within the new state. In brief, Arizona, under a new dispensation, is peaceful and law-abiding to a degree unknown in many other commonwealths.

CHAPTER XLI

RELIGION AND EDUCATION

How the Work of the Missions Was Taken Up—Establishment of the Diocese of Tucson —Entrance of the Episcopal Church—Bishop Kendrick's Good Deeds—Early Protestant Missionaries—Foundation of the Public School System—The University and Normal Schools.

In 1850 New Mexico was made a vicariate apostolic of the Catholic Church and to it as bishop was appointed the Rev. John B. Lamy, a young Cincinnati priest and a native of France. Doctor Lamy had to make a trip into Mexico and interview the Bishop of Durango, under whose charge New Mexico had been, before his authority was acknowledged by the priests of the new diocese. His trip to Durango was made on horseback, his total journeyings before he was seated in office amounting to 1,900 miles. Bishop Lamy found a dozen priests within his new charge, most of them within Indian pueblos. To this force he added from time to time, mainly by recruiting priests in France.

In 1859 the western part of New Mexico was annexed by papal decree to the diocese of Santa Fé and Vicar General Machebeuf was sent to make inspection of religious conditions. Tucson at that time had about six hundred inhabitants. Since the expulsion of the Franciscan fathers there had been no resident priest. Father Machebeuf assumed the station himself. The old church was in ruins and a chapel had to be improvised. The new priest took a great interest in the nearby mission of San Xavier, where he found that some of the Indians still "could sing at mass in a very tolerable manner" and could remember the Spanish prayers that had been taught years before. The same priest in 1860 performed the same work of pioneering in Denver and in 1868 there was consecrated as bishop.

In November, 1863, Bishop Lamy traveled through Northern Arizona by way of Prescott to Los Angeles and thence returned by way of La Paz, Maricopa Wells and Tucson. A new parish, that of Saint Augustine, was founded at Tucson, administered by Rev. C. Mesea and Rev. L. Besta, Jesuits, who in 1864 were recalled by their superior and the territory again was left without priests. Two started from Santa Fé, but were turned back, for the road had effectually been blockaded by the Apaches. This lack was not filled until January, 1866, when from New Mexico started three volunteers, Fathers J. B. Salpointe, Francis Boucard and Patrick Birmingham. Fathers Salpointe and Boucard were established at Tucson and Father Birmingham at Gila City.

September 25, 1868, the Territory of Arizona was organized as a separate diocese, at its head Bishop J. B. Salpointe. In 1869 it was transferred from the

J. M. Kendrick.

Missionary Bishop of Arizona (deceased)

Durango see to that of Santa Fé. The bishop-elect had to postpone for a while his ordination trip to Europe because in the whole territory there was but one other priest, Rev. Francisco Jouvenceau. On his return from Europe the bishop brought six French missionaries, one of them Rev. Peter Bourgarde, later his successor as Bishop of Tucson. In 1875 Santa Fé was erected into a metropolitan see and Bishop J. B. Lamy made its archbishop. In February, 1885, Bishop Salpointe was sent to Santa Fé to become coadjutor to Archbishop Lamy, to whose office he succeeded July 18, 1885, with the resignation of his predecessor. Archbishop Salpointe resigned January 7, 1894, and was succeeded by his coadjutor, Bishop P. L. Chapelle. Archbishop Chapelle later was transferred to the see of New Orleans. Successor to the Bishopric of Tucson is Rt. Rev. Henry R. Granjon, a strong administrator of church affairs, with keenest interest in the history of the church in the Southwest.

A Catholic parish was organized in Phœnix in 1881 and the first church, of adobe, was erected in the same year, under the direction of Rev. Ed. Gerard, parish priest at Florence. The parish passed into the hands of the Franciscan order in 1896. On the site of the first little adobe Catholic Church in Phœnix, erected in 1880, there was completed early in 1915 the finest cathedral in the Southwest, erected at a cost approaching $200,000. It is especially a monument to the energy of Father Novatus Benzing, a Franciscan, who for years had been in charge of the parish.

PIONEERING OF PROTESTANT DENOMINATIONS

It is almost impossible within the scope of a work such as this to give an accurate and authentic record of the early religious work of Arizona. Without doubt itinerant Protestant preachers of various denominations were found within the territory far back in the days of the passage of the California immigration. At Navajo Springs at the time of the inauguration of the territorial government was Wm. H. Reid, who offered a prayer, but who appears to have not been a regularly ordained clergyman. He and his wife in 1864 probably started the first regular religious services ever known in Northern Arizona in the gathering of a Sunday school.

Baptist and Methodist missionaries had been working in New Mexico as early as 1850, particularly Rev. J. M. Shaw and Rev. E. G. Nicholson. A Baptist church was built in Socorro in 1854. The first Baptist work in Arizona was done by J. D. Bristow, an unlicensed preacher, on the Verde in 1875. The first authorized church was at Prescott in 1879, under the supervision of Rev. R. A. Windes, now a resident of Tempe.

According to church records, the first Methodist minister to preach within Arizona was Rev. J. L. Dyer of the Colorado Conference, who came in 1868, and there is a record of the general service of Rev. G. H. Reeder of Ohio, appointed by Bishop Simpson in 1872 to work in the territory. In 1874 he was at Tempe. Rev. D. B. Wright of the New York Conference came to Ehrenberg in 1874 and Rev. J. J. Wingar reached Prescott in June, 1877. In 1879, a general Methodist organization was effected under the superintendency of Rev. Geo. H. Adams, who in September of that year found only four Protestant places of worship in all of Arizona. Mr. Adams was a great builder of churches.

About 1871 in Phœnix was an organization of the Methodist Episcopal Church South, with Alexander Groves as pastor. In 1878 under Pastor L. J. Hedgpeth, was built an adobe house of worship on a site that the congregation still occupies. The same denomination also was early in occupying the Prescott field.

The Presbyterians in 1868 authorized the sending of a missionary into Arizona. In the following year Rev. J. M. Roberts was with the Navajos and Rev. Jas. A. Skinner of Stockton, Cal., was transferred to a charge at Prescott, appointed by the American Bible Society. The church seems to have started about its first formal work on the advent of Rev. William Meyer, sent to Phœnix in September, 1878, by the Board of Home Missions. His congregation for a while found accommodations with the South Methodists, but in April, 1879, the missionary and O. P. Roberts erected a church of a novel sort, a brush arbor on the south side of the courthouse plaza upon a lot owned by the Methodist Church.

One of the strongest religious forces of the state is the Arizona Sunday School Association, of which Rev. E. D. Raley is general secretary. It was organized in Phœnix March 31, 1890, its first president Rev. F. D. Rickerson, an early day Baptist pastor of remarkable ability and large attainments.

The Young Men's Christian Association for years has had strong branches, with well-equipped homes in Bisbee, Douglas, Phœnix and Tuscon. Bisbee, Phœnix and Tucson have branches of the Young Women's Christian Association.

THE EPISCOPAL DIOCESE AND ITS BISHOPS

Possibly the first Episcopal clergyman to visit Arizona was Bishop O. W. Whitaker. Though he had been appointed missionary bishop for Nevada and Arizona in 1868, he waited till 1874 before visiting the southern part of his diocese, taking two months for a trip from Virginia City to Tucson, Florence, Phœnix and Prescott. On his suggestion, the missionary jurisdiction of New Mexico and Arizona was created at the general conference of the same year and Rev. Wm. F. Adams from Louisiana was created its first bishop. He never came West and resigned in 1877. A similar disinclination was shown by his successor, Rev. D. B. Knickerbacker, of Minneapolis. For the three years following Arizona was under the charge of Bishop Spaulding, of Colorado. In 1880 there was a church report from Rev. Wm. H. Hill, of California, who visited the territory, where he found Phœnix a pleasing place, Tucson an important town and Tombstone a condensation of wickedness. It is probable that the establishment of the Episcopal Church in Arizona is really due to Mrs. Jessie Benton Frémont, wife of the governor, who, in 1879, wrote Bishop Spaulding suggesting that Prescott might support a clergyman of the faith. Tucson she considered rather unavailable because of its large Mexican population, while the pretensions of Phœnix were put aside as the town "recently had been included in an Indian reservation," developing a hitherto unsuspected historical lapse. November 21, 1880, Rev. Geo. K. Dunlop was consecrated bishop for New Mexico and Arizona, transferred from Kirkwood, Missouri. He found in Arizona "not a church building, not a piece of property, not an organized congregation, not a clergyman and only forty communicants who had in any way reported." Bishop Dunlop died March 12, 1888, leaving church buildings at Tombstone and Phœnix and a con-

OLD PRESCOTT SCHOOLHOUSE, 1879, PARTLY OCCUPIED BY TERRITORIAL OFFICES

THE FIRST CHURCH OF PHOENIX

gregation also at Tucson. Phœnix, headed by J. W. Pearson, had 176 communicants.

Then, with appointment date from January 18, 1889, came Bishop John Mills Kendrick, held in affectionate remembrance as veritably one of the saints of the Southwest. His diocese extended eastward from the Colorado River, including Arizona and New Mexico and Texas west of the Pecos. Not only did he establish congregations in all the largest settlements of the two territories, but he branched out among 35,000 Indians, one of his works being the establishment of an Indian hospital on the Navajo reservation near Fort Defiance. Bishop Kendrick had been a soldier in his youth. He served as first lieutenant and adjutant of the Thirty-third Ohio Infantry, later being promoted to be captain and assistant adjutant-general of volunteers. Yet he was not a militant sort of Christian. He was one who went up and down his land spreading confidence in his faith by gentle words and good deeds. It is probable that a sweeter character never lived nor one of greater compassion for the frailties of mankind. By his clergy and his congregations he was regarded as little less than a saint and his memory will long endure. In 1911, with advancing load of years and of religious cares, the diocese was divided, Bishop Kendrick taking the New Mexican side. He died in Pasadena, Cal., December 16, 1911. Burial was at Phœnix.

When the diocese was divided, Arizona was given to Bishop Julius W. Atwood, formerly of Ohio, who had served as archdeacon and as rector of Trinity Church, Phœnix. Dr. Atwood, a ripe scholar and a religious executive of exceptional force, already has his monument in Saint Luke's home, near Phœnix, a church institution for the treatment of tuberculosis. He has made progress also on the erection of a cathedral in the city of his episcopal residence.

GROWTH OF THE SCHOOLS OF ARIZONA

The first schools of the Southwest were those of the Catholic Church. At Santa Fé in 1852 was established a girls' school taught by four sisters of the society of "The Friends of Mary at the Cross." In 1859, also at Santa Fé, the order of Christian Brothers started a boys' school. One of Colonel Poston's first acts was to help in the establishment of a Catholic school at Tucson or San Xavier, especially for the Indians, but the institution had short life. In 1866 a Catholic school was started in Tucson under a teacher named Vincent and in 1870 the Sisters of St. Joseph there organized a girls' school and erected a building, for which the lumber was brought from the Huachuca Mountains by wagon. A number of Arizona communities now have large parish schools.

One of the important educational institutions of the state is St. Joseph's Academy at Thatcher, a Mormon institution with an attendance of about three hundred. A handsome new building for the use of the school was dedicated December 15, 1911. A similar church academy is maintained at St. Johns.

Schools were slow in coming to Arizona, probably because of the absence of children other than Mexicans. Few of the pioneers brought families into the territory. It is probable that most of the pioneers simply had an idea, like the first California adventurers, of "making their pile" and going "home." Upon the groundwork they laid, however, was established a more permanent civilization, within which schools were a necessity. The First Territorial Legislature

passed a school code, but there seems to have been only one school, a small private one in Prescott, and that maintained largely by private subscription.

The educational system of Arizona had its beginning January 1, 1865, on which date became effective an act of the First Legislative Assembly that set aside $500 for the benefit of a public school in Tucson "in which the English language shall form a part of the daily instruction" and $250 each to Prescott, La Paz and Mojave, in each case conditioned upon the raising of a similar sum by the residents of the locality affected. An additional $250 was appropriated and donated to the Mexican school at San Xavier del Bac for the purpose of purchasing books of instruction, stationery, and furniture. A more permanent method of public school support was a direction to the treasurers of the different counties to pay over to the county commissioners all moneys that might accrue from licenses and not otherwise appropriated to be used as a fund for the benefit of such public schools.

The creation of school districts was effected by the Legislature of 1868, which gave the county boards of supervisors power to organize such districts in any village with a resident population of not less than 100 and covering an extent of country of not more than four square miles. For support of the schools of such districts should be levied a tax of not more than one-half of 1 per cent on the assessed value of all its taxable property.

Governor Safford in 1871, referring to a school census of 1,923 children, made declaration that in that year Arizona had not a single public school, though the school code provided county school superintendents and a territorial board of education. Safford became interested in pushing education and soon there were schools in every community of any size.

Augustus Brichta, a pioneer Arizonan, appears to have made the first attempt in the teaching of a public school in Tucson in the spring of 1869, with fifty-five pupils, all boys. He had good backing in Wm. S. Oury, John B. Allen and W. W. Williams. In 1871, under L. C. Hughes, county superintendent of schools, with Samuel Hughes, W. F. Scott and W. C. Davis as trustees, John A. Spring opened a school on the corner of McCormick and Meyer streets, with an enrollment that reached 138, all boys, mainly Mexican in parentage. The same year the Sisters of St. Joseph started a denominational school, especially for the benefit of girls. Another girls' school was started in 1872 by Mrs. L. C. Hughes and in 1873 regular school sessions were started in Tucson, with Miss Harriet Bolton and Miss Maria Wakefield as teachers. The former became Mrs. John Wasson and the latter Mrs. E. N. Fish. There was a regular school building, a long adobe structure on North Congress Street in 1874, when the trustees were R. N. Leatherwood, Samuel Hughes and Estevan Ochoa. The principal study was the English language, for Spanish was the tongue of the community.

Miss Mary E. Post, now an honored resident of Yuma, opened a public school at Ehrenberg in 1872. About this time a graded school was opened at Prescott.

Phœnix had its first public school September 5, 1872, the teacher J. D. Daroche and the trustees J. D. Rumberg, W. A. Hancock and J. P. Osborne, in the court room on the present First Avenue, just south of Washington. Later there was a permanent school building, on North Center Street, a little adobe, where the teacher was Miss Nellie Shaver, later Mrs. J. Y. T. Smith. In 1879 the

LIBRARY AND ADMINISTRATION BUILDING, UNIVERSITY OF ARIZONA, TUCSON

THE OLD SCHOOLHOUSE, PHOENIX. DEMOLISHED 1888

teacher was R. L. Long. He had an assistant teacher in Mrs. Beverly Cox, whose primary class was accommodated in the South Methodist Church.

In the Legislature of 1875, at Tucson, there was much discussion concerning a possible division of the public school funds with the Catholic parochial schools. Already there had been several specific appropriations toward the support of Catholic schools in Tucson, where the church had been an educational pioneer. But any suggestion for legislative recognition of Catholic schools received bitter opposition. To combat this, Chief Justice Edmund F. Dunne delivered an address, pro-Catholic, in the hall of the House of Representatives, soon after the holding of a ball, whereat there had been raised a considerable sum to be expended in local education. The bill dividing the funds with the church came up in the council a few days later and came within one vote of passing.

In 1879 Colonel Hodge made a record of all the schools of the territory. There were public schools at Yuma and Ehrenberg, Mineral Park, Cerbat, Prescott, Williamson Valley, Verde, Walnut Creek, Walnut Grove, Chino Valley, Kirkland Valley, Peeples' Valley, Wickenburg, Phœnix, Florence, Tucson, Tres Alamos (on the San Pedro), Safford, and a few other points. There were Catholic schools at Yuma and Tucson and Indian schools had been established by the Government at San Carlos and Sacaton.

In 1882 there were ninety-eight school districts, with over 10,000 pupils and the value of school property was given as $116,750. In 1883, under still more definite legislative provisions, M. H. Sherman, who had been principal of the schools at Prescott, was elected territorial superintendent of schools and later drafted a short code of school laws. The election of a territorial superintendent was in reality a violation of the governor's prerogatives, but continued for a number of years thereafter, unchallenged. Superintendent Sherman, who also served as adjutant-general and thereby gained a military title, later became one of the millionaires of Southern California.

A still more amplified school code was enacted in 1885. It was prepared by R. L. Long, who had been in charge of the schools at Phœnix and who in the year mentioned started a term of service as territorial superintendent.

The growth of Arizona's common school system may be indicated by contrasting with the early allotments the present expenditures for primary and grammar school maintenance, which this year will amount to the enormous sum of $2,674,930, this in addition to $1,057,813 that will go to the university and normal schools and for vocational training. This is not all by any means, merely constituting the general allotments.

FOUNDATION OF THE UNIVERSITY

The university was established at Tucson by the Legislature of 1885, in pursuance of a legislative distribution of spoils in which there was little consideration of the probable value of such an institution. At the same time Tempe was given a normal school and Phœnix the insane asylum, while Prescott retained the capital. Under the authority of a congressional act of four years before, School Superintendent M. H. Sherman selected seventy-two sections of land in the forested area of the Mogollon plateau, to be preserved for the benefit of the university. A tract of forty acres was donated by B. C. Parker, E. B. Gifford and W. S. Reid for the university site.

FACULTY OF THE UNIVERSITY OF ARIZONA, 1915

The establishment of the Northern Arizona Normal School at Flagstaff was due to a sequence of changing ideas rather than to any demand for an additional educational institution. The main building was erected under a legislative appropriation of $35,000 for the establishment of a branch insane asylum, on ground donated by the Santa Fé Pacific Railroad Company. In 1897 an additional appropriation was made of $18,000. Then the people of Flagstaff became rather dubious concerning the near prospect of such an institution in their midst, so in a succeeding Legislature a switch was made and the designation of the institution was changed. This time it was to be a reform school and within the handsome brown stone building a start was made toward the construction of a number of cell-like rooms. Still again there was local doubt concerning the advisability of bringing into the community a flock of incorrigible boys and there was a happy thought that the building might be utilized as a normal school. This change was made in the Legislature of 1899, which turned the Flagstaff building over to the Board of Education of the Normal School of Arizona. The buildings were fitted up for school purposes and the school itself was opened September 11, 1899, with a faculty of only two teachers, A. N. Taylor and Miss Fannie Bury. The school today has a faculty of sixteen, led by R. H. H. Blome, an educator of large ability, transferred to the position of principal from head of the psychology department in the Normal School at Tempe.

CHAPTER XLII

NEWSMEN AND NEWSPAPERS

Beginnings of Arizona Journalism at Tubac and Fort Whipple—Two Journalistic Duels that Were Bloodless—How Editor Bagg Evened an Old Score—Newspapers Known in Every Section—Hopes and Ideals of the Frontier Scribes.

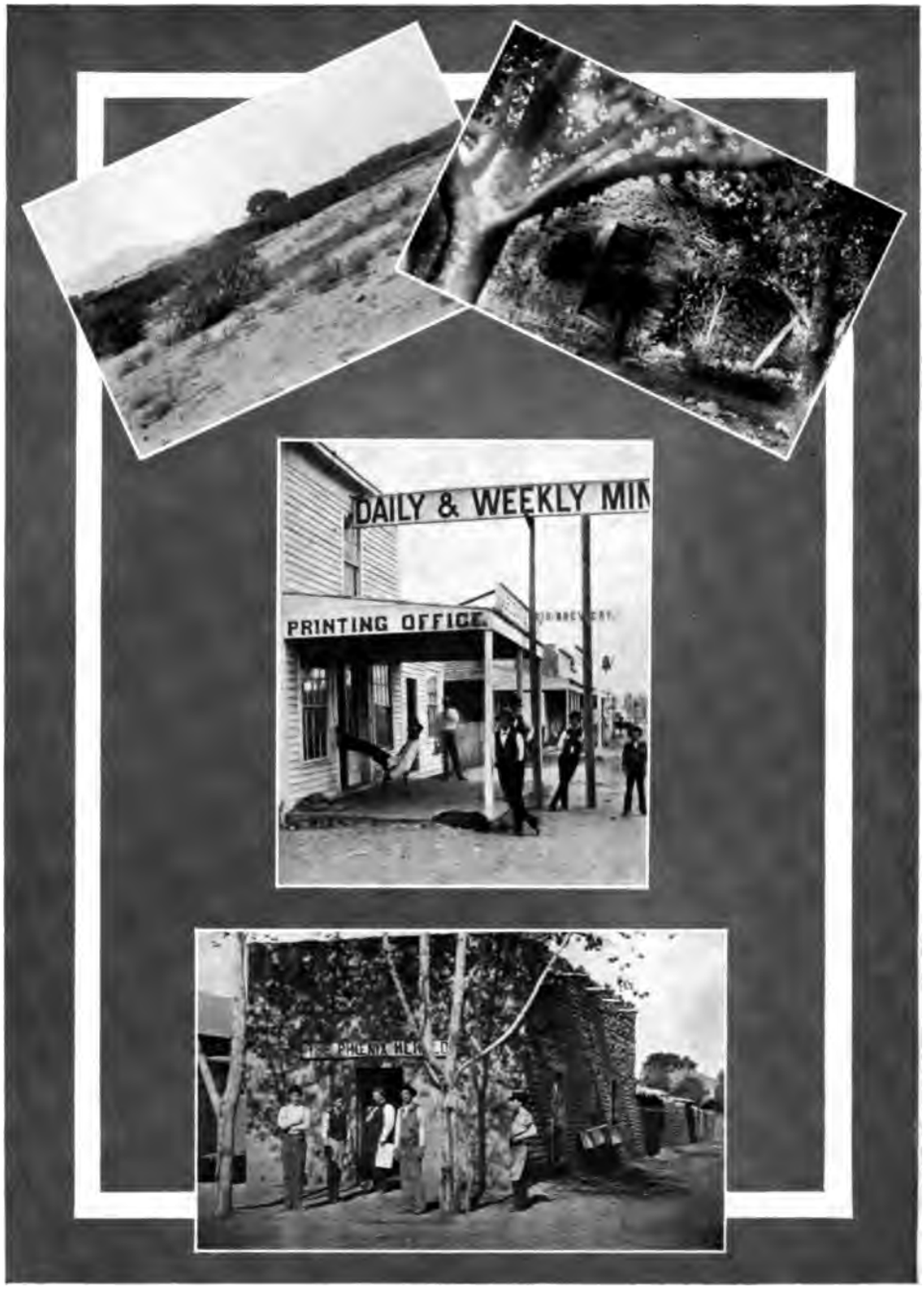
The first printing press in the Southwest was brought to Taos and Santa Fé from Mexico in 1834, and there is extant one of its first impressions, a proclamation of Governor Perez, dated June 26, 1835. Probably from this same press was printed the first newspaper of New Mexico or Arizona, El Crepusculo (The Dawn), published by Padre Martinez in Taos. It had a life of only four weekly numbers, of which the first was printed November 29, 1835. There appears to have been no very lively demand for news in those days. In 1840 in Santa Fé and for three years thereafter was published an official paper, La Verdad (The Truth). It was succeeded in 1845 by El Rayo de Nuevo Mejico.

The Santa Fé Republican made its first appearance September 4, 1847, with its text divided between English and Spanish. It was published by Hovey & Davies, with G. R. Gibson as editor. December 1, 1849, Davies and Jones started the New Mexican, but the present publication of that name dates back only to January 22, 1863, when it was founded by Charles Leib. It became a daily as far back as 1868. Sonora had a periodical publication as far back as 1850. It was La Sonoriense, published at Ures, especially for printing official announcements.

ARIZONA'S FIRST NEWSPAPER

Arizona's first newspaper was The Weekly Arizonian, the initial issue probably in March, 1859, for the editor of this history has the eighteenth number, printed June 30. It was a decidedly neat four-paged paper, four columns to the page, reading matter and advertisements set in small type, very well displayed, considering the period and the remote location. In the issue at hand, a well-written editorial declares unfeasible the plan for a separate territorial government for Arizona, as called for by a convention held at Mesilla on June 19. It was frankly stated that a territory such as proposed would be under the control of the Mexicans, a situation far from agreeable.

One of the advertisements called for the return of a Mexican peon, who had run away from his employers, Hoppin & Appel of Tubac. In the news columns was much of interest: A party from Tucson had returned after exploring the Pinal Mountain region, where two of the expedition had died from eating wild parsnip. A soldier at Fort Buchanan had been drummed out of the



On left, office of Tubac Arizonian, 1859 The Arizona Miner's first office, 1864

Prescott's Pioneer Journal

Office of the Phoenix Semi-Weekly Herald, 1879

FRONTIER JOURNALISM

service after having been whipped, having had his head shaved and having been branded with a red-hot iron with the letter "D," standing for deserter. The people of Tubac, following the killing by Mexicans of John Ware, had organized their own civil government, with James Caruthers as justice of the peace. The first case was that of a Mexican who on conviction of theft was given fifteen lashes at the hands of the new constable, N. Van Alstine.

The printing material, including a hand press, was bought in Cincinnati and was brought in by way of Guaymas. The paper was owned by the Salero Mining Company, but the plant was in charge of the Wrightson brothers, with whom was associated Col. Ed. Cross, who appears to have done much of the editorial work. Colonel Poston was, at least, a valued contributor and is understood to have written much of the editorial matter at one time or another.

Cross, a New England man, had political opinions very much at variance with those of Sylvester Mowry, a local mining magnate, and the two soon clashed, after Mowry had been attacked violently in the editorial columns of the Arizonian. So Cross was sent a challenge, which was accepted promptly, with rifles as weapons. Mowry's second was none other than Bill Oury of Tucson, while J. W. Donaldson acted for Cross. The toss was won by Cross and Mowry was placed with the sun shining in his face. Both missed at the first fire. At the second fire Cross missed and Mowry's rifle failed to explode. Mowry then, as was his right, coolly reprimed his weapon and raising it to his shoulder aimed it at his opponent, who stood calmly with his arms folded, awaiting what seemed inevitable death. This continued for possibly half a minute, when Mowry raised the muzzle of his weapon and fired it into the air. Thereafter, it is told that the pair became sworn friends. Mowry soon after assured himself against hostile newspaper criticisms by purchasing the Arizonian.

There is a tale, here repeated without any guarantee of its truth, to the effect that two of the Tubac printers, Jack Sims and George Smithson, were charged with complicity in a stage robbery, that Smithson was killed while resisting arrest and that Sims was discharged after an able defense by Grant Oury.

According to Sam Hughes, the Arizonian ended its career in Tubac in 1860 (Bancroft makes it in the following year) and the paper was brought to Tucson. J. Howard Mills is said to have edited it for a while after the change, possibly representing Mowry's friend, W. S. Oury. S. R. DeLong supplements the story by telling how the plant was utilized for a few weeks by a traveling printer named Pearce, who proved over-bibulous. Then DeLong bought the material and published the Arizonian himself. L. C. Hughes tried to buy the paper, but found that it was for sale to anyone except L. C. Hughes.

The Arizonian's press is now in Tucson, a sacred relic in the rooms of the Arizona Pioneer Society, after service in handling the first issue of the Tucson Citizen, utilization on the Tucson Star and Dos Republicas and in the printing of the first and many subsequent copies of the Nugget, Tombstone camp's first paper. It was given to the Pioneer Society by William Hattich of the Tombstone Epitaph when he abandoned the Arizona newspaper field in August, 1913.

According to some correspondence in the Arizona Republican, the first newspaper in northern Arizona was the Mojave Dog Star, which came off the press October 1, 1859. The editors and proprietors were Montgomery, Peters and

Johns. Montgomery stands for Montgomery Bryant who afterward was a colonel in the regular army; Peters otherwise was known as Peter R. Brady, who at the time was post trader at Fort Mojave, and Johns was Dr. John J. Milhau, an army surgeon. The paper was issued more for pastime than otherwise, its ostensible object being to correct the free love tendencies of the Mojave Indians.

NORTHERN ARIZONA JOURNALISM

The next newspaper came with the territorial government, the material brought overland, purchased by Governor Goodwin and Secretary McCormick. This material included a Ramage press, understood to have been made in Philadelphia as early as 1825, and in use in Prescott as late as 1880. It was in the big fire of 1900. Its bed was recovered, however, and lately was in use as an imposing stone in one of the Prescott printing offices. The first issue of the Arizona Miner came out March 9, 1864, and the very first copy that came from the press still is preserved. The nominal editor was Tisdale A. Hand, though it is understood that "Dick" McCormick was responsible for much of the editorial matter. The paper's date line told of its publication at Fort Whipple, which then was at Postle's ranch, near the later better-known Banghart place, and near the present railroad station of Del Rio. As was the fashion of the times, it had a motto, "The Gold of that Land is Good." It was a neat little sheet, with four columns to the page. Advertising occupied only a single column. The news mainly was of Indian depredations, in which the pluck and audacity of the Pinal Apaches made them foes much to be feared.

When the military camp was moved to Prescott, the newspaper came also. Its first issue in Prescott, in June, 1864, was with the press set up between two log walls, without a roof, on the western side of the plaza. Soon thereafter Hand was succeeded by E. A. Bentley.

The Miner's lineal successor still is in existence, the Daily Journal-Miner, a consolidation of two papers, effected in August, 1885. For years it has been under the management of J. W. Milnes.

Of the many who were associated with the publication of the sheet in anything like pioneer times, only two survive, A. F. Banta, who was employed in 1864, and J. C. Martin, who was editor after the consolidation. Some of the names of the departed ones are bright in history, including John H. Marion, who in years thereafter published the Prescott Courier with B. H. Weaver. Hand and Meecham, the earliest editors, are dead, the latter from wounds received in an Indian fight in Copper Basin. Col. H. A. Bigelow and "Long Tom" Butler, later territorial treasurer, have passed away. Chas. W. Beach, for many years owner of the sheet, was assassinated near Prescott in 1889. One of his successors, S. N. Holmes, was burned to death in the Sherman House fire in Prescott. "Buckey" O'Neill died at the head of his troop in Cuba, during the Spanish war.

The claim of the Journal-Miner to lineal succession from the original Miner has been disputed by E. E. Rogers, editor of the Prescott Courier, himself successor to the chair of John Marion.

Indicating the vicissitudes of early-day journalism, Banta has a story, in which the leading characters are Editor Hand and a desperado, Lou Thrift,

FIRST TERRITORIAL PRESS ASSOCIATION OF ARIZONA. PHOENIX, 1890

First row: W. L. Vail, Phoenix; John Dorrington, Yuma; L. C. Hughes (President), Tucson; George W. Brown, Tucson; J. O. Dunbar, Phoenix.

Second row: Ed. S. Gill, N. A. Morford, Paul Hull, Jas. H. McClintock, Phoenix; R. C. Brown, Tucson; C. W. Johnstone, Phoenix.

who had come from New Mexico with the Peck party and who, still later, was killed, almost accidentally by an inoffensive fellow named Jay, whom he had been bullying. Jay, in turn, met a violent death, killed by Apaches in the Big Bug district. The Hand story follows:

Thrift was a native of Virginia and an ardent sympathizer of the southern cause, and was likely to grossly insult anyone "wearing the blue." One day at dinner in the Prescott House, early in the summer of 1864, he had a dispute with Tisdale E. Hand, the nominal editor of the Arizona Miner, over some incident of the war then in progress between the states. The two sat at opposite sides of the table, and in the dispute Hand was so indiscreet as to call Thrift a liar. At first Thrift was more astonished than otherwise; soon recovering himself he proposed to settle the matter there and then with "Colonel Colt" as arbiter. To this Hand demurred and said he was "unarmed and never carried a pistol." Thrift replied, "Such cowardly curs as you are ready to shoot off their mouths and then hide behind the law." Thrift carried two six-shooters; drawing one, he cocked the gun and placed it beside Hand's plate, remarking at the same time, "Now you are armed; cut loose." Hand was badly frightened and dared not touch the gun; but begged Thrift not to shoot him, and said, "Mr. Thrift, you have the advantage and could kill me before I made a move." By this time Thrift was simply boiling with rage; jumping up, leaving his pistol on the table, Thrift stepped back to the wall some distance away; he hissed through his teeth, "Now, you white-livered scoundrel, you have the advantage." Notwithstanding the cocked gun lying beside his plate Hand very prudently declined to do any shooting. He lacked the nerve, even with all the advantage Thrift gave him. Had he attempted to shoot and had shot, unless the shot was suddenly fatal Thrift would surely have killed him. Thrift picked up his gun and made a move to kill Hand; but instead, he slowly returned the gun into the scabbard, remarking as to himself, "No credit to kill a cur like that." Shortly after this Mr. Hand left the country for the East.

THE NEWS IN THE OLD PUEBLO

Following the brief career of the Arizonian in Tucson, the Arizona Citizen was established October 15, 1870, by John Wasson, surveyor general of the territory, and edited by W. W. Hayward. For a while in that year there were only two other Arizona newspapers, namely, the Miner and the Enterprise, both published in Prescott. Capt. John P. Clum, fresh from experiences as an Indian agent, bought the Citizen from Wasson in 1877. The following year he moved it to Florence where official patronage could be commanded through the land office, but it was back again in Tucson soon. Wasson established the Daily Citizen in 1879, selling out in 1880 to go to Tombstone. For many years prior to 1901 the Citizen was edited by Herbert Brown, now deceased, who left a name fully as notable for natural history researches as for editorial work. Brown, one of the mildest mannered of men, for a term served as superintendent of the state penitentiary at Yuma. Wasson also is dead, passing away only a few years ago in Pomona, Cal. The Tucson Citizen for several years was published by O'Brien Moore, a man of national reputation as a journalist and long the representative of large newspapers in the press galleries of Congress. He had made the Citizen a forceful exponent of democratic principles till the date of his death, late in 1909. Purchasers in 1910, returning the sheet to the republican ranks, were James T. Williams, former member of the United States Civil Service Commission, and Allen B. Jayne, the latter an Arizona journalist, who has retained management of the paper to the date of this writing.

The first daily paper in Arizona, The Bulletin, was started in Tucson in March, 1877, by Tully & Hughes, with only four columns to each of its four pages. It prided itself on its telegraphic service, that came, when the wires

were not down, across the desert from San Diego. That was a fearful and wonderful telegraph line, strung even on giant cactus, its wires frequently utilized by unfeeling teamsters for wagon repairs. The Bulletin lasted only a month or so, when it was succeeded by the Tri-Weekly Star, later a daily, and edited by Louis C. Hughes, for a while attorney general of Arizona and, during the second Cleveland administration, governor of the territory. Attached to the Star edited by Charles H. Tully, was a Spanish publication, Las Dos Republicas. The Star was sold to W. B. Kelly in July, 1907, by Governor Hughes, who told in his last editorial that only once in thirty years had an issue been missed and only thrice had there been failure to publish a telegraphic report.

It is notable that the earliest newspapers of Tucson are also the last. Not less than twelve daily and ten weekly newspapers have died in the old pueblo. The most notable of the lot was the Morning Journal, published in 1881, the first seven-day daily ever issued in Arizona.

NEWSPAPERS OF PHŒNIX

In January, 1878, Phœnix was given its first newspaper, the Salt River Valley Herald, a weekly edited by Chas. E. McClintock and owned by him, Territorial Secretary J. J. Gosper and C. W. Beach. McClintock furnished the experience, Gosper a note of hand and Beach some printing material. All three are dead, Gosper dying a few years ago in dire poverty, in Los Angeles. In 1879 the name of the publication was changed to the Phœnix Herald, and it was made a semi-weekly. In the fall of the same year was commenced publication of a daily. McClintock died in the summer of 1881. About a year later N. A. Morford, later territorial secretary, secured control and managed the paper until its consolidation with the Republican in May, 1899.

Among the various Phœnix newspapers that have been born only to soon pass away, one of the earliest and one of the most interesting was the Weekly Expositor, moved up from Yuma in 1879 by Judge Jas. A. Reilly. The paper for a while was issued daily. Reilly was an early-day iconoclast, who knew well how to write interestingly in the vernacular of the time. He was a character unique even in the Southwest. When he first struck Arizona his living was earned by cutting wood on the Colorado banks for the river steamboats. He had managed to study a little law at Yuma. In Phœnix he printed his thoughts too freely and thus lost the democratic county printing. His income cut off, he left for Tombstone during the early days of the camp, where his legal pickings were not very profitable before he became attorney for Martin Costello. Wherever any lack of legal training presented itself, he had a shrewd native wit that carried him far. There is an old story to the effect that he was visited by a young man who asked the cost of admission to the bar, under Reilly's instruction. Reilly gravely considered the matter for a moment and answered: "Well, that will be according to the amount of laaw you want to know. Now, if you want to know as much laaw as, we'll say, Mark Smith, it'll cost you about tin dollars; if you want to know as much laaw as Allen English, you will have to raise it to about twinty dollars; but, me son, if you want to know as much laaw as I do it'll cost you wan hundred dollars."

The daily Arizona Gazette was founded in 1880, by Chas. C. and H. H. McNeil, two printers from San Jose, California. The first editor was Wm. O.

O'Neill. July 4, 1887, the Gazette was sold by H. H. McNeil to several Southern Arizona lawyers and John O. Dunbar of Tombstone. This paper still covers the evening field in Phœnix, after years of vicissitudes and of many changes of ownership and of policy, now being in the democratic column. It is owned by Chas. H. Akers, former territorial secretary, and H. A. Tritle, son of former Governor Tritle. Dunbar still remains in the harness, publishing a weekly that bears his own name and that deals particularly with political criticism.

The Arizona Republican was started as a seven-day daily May 19, 1890. Its manager was Ed. S. Gill, its editor, Chas. O. Ziegenfuss, a newspaper man of long experience and large ability. Ziegenfuss, a victim of his own convivial habits, after having served in editorial capacities on a number of the leading newspapers of America, finally died in San Francisco by the gas route. The Republican was started as an organ, pure and simple. Its stockholders were Governor Wolfley and the officials of the territorial government, each assessed to make up a monthly deficit in income. The first year of its publication cost the stockholders not less than $25,000, and the only possible return was their gratification in the issuance of what was undoubtedly a paper far ahead of the time, with the first full Associated Press report ever taken in Arizona. Ziegenfuss and Gill were succeeded by W. L. Vail, and he by T. J. Wolfley, the last a Saint Joseph, Mo., newspaper man. In 1898 the paper was bought by Frank M. Murphy of Prescott and returned again to high value from a newspaper standpoint, under charge of C. C. Randolph, a Washington journalist. After several years of success, Randolph sold his interest to former State Auditor Geo. W. Vickers, who secured the services of Sims Ely as editor. Mr. Ely remained in that capacity till 1905. September 1, 1909, the Republican was purchased by Mr. Ely and S. W. Higley, a former railroad man. In the meantime Mr. Ely had served as private secretary to Governor Kibbey, as territorial auditor and as chairman of the Arizona Railway Commission. In October, 1912, the journal passed to the ownership of a company headed by Dwight B. Heard and its policies were changed to conform to Mr. Heard's progressive ideas. For the greater part of the Republican's history it has profited by the services of J. W. Spear, who latterly has occupied the editor's chair.

TOMBSTONE AND ITS EPITAPH

Tombstone had its first newspaper, the Nugget, in the fall of 1879, A. E. Fay and Thomas Tully bringing from Tucson a printing outfit of most primitive sort, including the historic hand press on which had been printed the Tubac Arizonian.

May 1, 1880, was the date of the first issuance of the Tombstone Epitaph, founded by John C. Clum, postmaster and mayor of the town, Chas. D. Reppy and Thos. R. Sorin. There are two versions of the manner in which the paper received its name. One is that it was suggested by John Hays Hammond, the celebrated mining engineer, at a banquet given at the Can Can restaurant. The other is that while on the incoming stage, Clum asked his fellow travelers to make a suggestion for the name of the paper he was about to start. One of the passengers was Ed. Schieffelin. From him came the sage observation, "Well, I christened the district Tombstone; you should have no trouble in furnishing the Epitaph."

The early days of Tombstone journalism decidedly were not monotonous ones. The camp was "wide open" and human life and money both were held in little account. Good items and good fellowship were on tap everywhere. Just as Virginia City took the cream of west coast newspaper men, so Tombstone skimmed to itself the brightest minds of the Southwest. Some of the writers of the pioneer days of the camp were Pat Hamilton, Harry Brook, John O. Dunbar, Sam Purdy, Harry Wood, Dick Rule, Wm. O. O'Neill and O'Brien Moore, men who knew what was news and how to write it well.

Pat Hamilton, of more than local fame as a writer, was editor of the Independent. Sam Purdy, who later controlled the political destinies of Yuma County, edited the Epitaph. It was the habit of the day for editors to slam each other editorially on every possible occasion. Hamilton and Purdy, with somewhat more than ordinary ability on either side, did the ordinary thing in such extraordinary fashion that a personal encounter at last seemed inevitable. So in the fall of 1882 a duel formally was arranged between them. Ned MacGowan for Hamilton and Billie Milliken for Purdy arranged all details, proceeding solemnly on the basis of procedure secured by them in a study of Lever's novels. Dr. George Goodfellow, who died only a few years ago, chief of the Southern Pacific surgical staff, and Dr. McSwegan were official surgeons. The party started out with ostentatious secrecy. Everyone knew all about it and bets promptly were offered in gambling saloons concerning the one or the other to be brought back feet foremost. The sad cortege reached a point in the San Pedro Valley a little below Hereford, where it was determined to start the carnage. A number of stories came back about the subsequent proceedings. It would appear that neither of the principals was very keen and that the seconds themselves were far from bloodthirsty. The seconds went to the extreme of pacing off the ground, then got in such a row over the position of the principals and the selection of pistols that they finally had to declare the whole affair "off" and the two parties made their way back to Tombstone by night. Next day they were forced to endure chaffing of the roughest sort.

Tombstone, at the date of this writing, has only one newspaper, the Daily Prospector, which has the Epitaph as its weekly issue. More than twenty years ago the Prospector passed into the unwilling hands of a local merchant, S. C. Bagg. Following the habit of the country, he was most outspoken on public matters and became adjudged in contempt of court for remarks passed upon a decision of District Judge W. H. Barnes. Bagg was fined $500 and committed to jail in default of payment. The sheriff being a good friend of his, Bagg had his cell nicely fitted up as an office and from it conducted the affairs of the newspaper and the store, his imprisonment made lighter by the sympathy of friends. He was well able to pay the fine, but was obstinate and preferred to be a martyr. Finally, the pleadings of his friends proving unavailing, they took up a subscription among themselves, paid the fine, and, presenting a legal release to the sheriff, dragged Bagg out of the cell and threw him into the street, the jail door being locked behind him against his indignant protests.

A few years thereafter, Barnes was attorney for the Phœnix Gazette and its managers in a libel suit brought before Barnes' successor, Judge R. E. Sloan, in the District Court at Tucson. Barnes, seeking a change of venue, had his clients sign an attack upon the probity of the court. The signers were hailed

before the bar and asked why they should not be committed for flagrant contempt of court. Barnes' authorship of the affidavit then developing, he and Editor Dunbar were ordered to jail, Judge Sloan sorrowfully commenting on the necessity of having to maintain the dignity of his court when attacked by his predecessor in office. Judge Barnes went through the jail doors in a state approximating mental collapse. Sympathy and stimulants were extended by local partisans, however, and the judge cheered up to some extent. A messenger boy arrived with a telegram. Barnes opened it with a flourish, exclaiming: "Ha, Ha! Friends from afar have heard of this outrage." The telegram, held out, was read by a half-dozen at once. It was from Tombstone, Arizona:

"Judge W. H. Barnes, County Jail, Tucson, Arizona.

"Are you there, Moriarty? (Signed) S. C. Bagg."

For twenty years, until August, 1913, the Prospector and Epitaph were managed by William Hattich, the date of his retirement being the twenty-fifth anniversary of the Epitaph's publication.

JUDGE HACKNEY AND THE SILVER BELT

Possibly the most distinctive type of southwestern journalism was represented by Judge Aaron H. Hackney, of beloved memory, who, on May 2, 1878, issued the first number of the Silver Belt, Globe's first newspaper. With him for a month or so was associated A. H. Morehead. Hackney had had prior experience in the business, in Silver City, New Mexico, where he had bought a small weekly. Not satisfied with the name of the Silver City sheet, he changed it to "The Herald." No large type being available, the Judge had the new heading carved on a block of wood he sawed from a well-seasoned ox yoke. He had gone to New Mexico in 1857, after serving as a writer for the old Missouri Republican. He went to Silver City when it had but a single house, and it was he who gave the town and the new County of Grant their names. From Silver City he brought a small printing outfit, including a foot-power press on which the paper laboriously could be printed, one page at a time. His only absence from Globe was a trip to Tucson in 1882. From his window he saw the coming of the railroad, but he never visited the depot. After several years of paralysis that failed to more than slow down his mental activity, Judge Hackney died December 2, 1899. He was one of the most interesting of characters, a veritable father in the community, though confined for many years to his chair, by reason of failing strength and excessive weight. His kindliness even extended to consideration for the Apache Indians, and he was never quite ready to believe all the tales that were brought him of outbreaks or of frontier deviltry. The Silver Belt was continued after the death of Judge Hackney by his nephew, J. H. Hamill. The paper later was acquired by C. W. Van Dyke, who moved it to Miami. Hamill then returned, to start in Globe the Arizona Record, which still occupies the daily field under the management of C. E. Hogue.

In the very early days of Globe, from 1880 till the time of the copper slump, also flourished the Globe Chronicle, a newspaper founded by W. H. Glover and edited successively by Hinson Thomas, Judge Julius S. Van Slyke and Jas. H. McClintock. The paper was owned by a local mining company. It gave especial attention to mining and to the Indian news that Judge Hackney did not want to print.

EDITORS WHO MET ADVERSITY

Geo. W. and R. C. Brown (not related by blood) made a strong journalistic team in early days. For a while, around 1881, they managed the Tucson Citizen. Later they owned the Florence Enterprise, one of the best of weeklies that carried the news of the entire territory. After the Enterprise had been moved to Tucson, the Browns became engaged in the bitter fight waged in 1892 against the administration of Governor Hughes. Tried for criminal libel against the good name of a Tucson attorney, they were sentenced in the District Court to one day in the territorial penitentiary. The journalistic fight really was being made against Frank Heney, then attorney-general of the territory. His demands for dominating authority later caused a break with Governor Hughes and the retirement of the attorney-general from office. If the sentence had been to the county jail, there would have been little criticism, but a penitentiary sentence carried with it not only added stigma but the loss of rights of citizenship. At the state capitol was held a session of the Arizona Editorial Association. The indignant editors then called at the executive offices to demand the pardon of the Browns before execution of sentence; Heney, behind Hughes' chair, was referred to for legal answer, but the editors refused to hear him. They made point blank demand upon the governor for the pardon, inferentially threatening dire consequences if it was not issued, and left the office with the precious document. It is an odd fact that the official record of this case, in the biennial message of Governor Hughes, shows that the Browns had been sentenced to five days in the penitentiary. This is one case where the memory of all participants questioned fails to agree with the record.

As a rule the press of Arizona has been untrammeled in its expression of opinions of men and things. One notable exception was in April, 1910, when a large part of the population of Parker gathered to expel from the town Editor Jas. J. Healy of the Parker Herald. Healy was marched into the desert several miles, interest in the trip added by several stops at telegraph poles, whereon the editor was gently drawn by the neck toward the crossarm, each time with the idea that the experience was to be his last. Healy finally was allowed to escape to Bouse, from whence he complained to the governor and district attorney, but seemingly with little result.

BISBEE, DOUGLAS, FLORENCE AND YUMA JOURNALS

The first paper of Bisbee was the Democrat, a weekly edited by Frank Detheridge. Its first issue was August 9, 1888. It lasted only six months.

The Bisbee Review came into being early in the campaign of 1900, a number of Warren District democratic capitalists feeling the need of a journal to support their cause. As editor was engaged Paul Hull, a Chicago man, who for twenty-eight weeks had conducted a high-class illustrated weekly, the Arizona Graphic, at Phœnix. The newspaper that he published at Bisbee was good, but the income for the first month was about $2,000 less than the outgo. Hull soon abandoned the attempt to publish a Chicago newspaper in a western mining camp and the journal thereafter had months of vicissitude. During the campaign in which Mark Smith was opposed for Congress by Governor Murphy it was split for financial reasons between the democrats and republicans, each of whom had half of the front page for editorial pabulum. Then came more

JUDGE A. H. HACKNEY
Pioneer newspaper publisher of Globe

prosperous times under G. H. and Will Kelly. Latterly the Review has prospered under the management of Frederic Sturdevant.

The Sentinel was established in Yuma in 1869 by a local company, with John W. Dorrington at its head. W. T. Minor, Judge W. M. Berry and Geo. E. Tyng successively edited the little journal, which still endures, issued weekly by W. H. Shorey. The newspaper establishment twice has been burned out and once was submerged in a flood. John W. Dorrington, whose ownership has extended over most of its years, has defended during the years libel suits that would have cost him $125,000 had they been successful—which they were not.

For many years Florence has been served by the Weekly Blade and Tribune, a combination of papers, for the greater time controlled or edited by Thos. F. Weedin, a pioneer printer and miner, who, under democratic auspices for several years, has been filling the position of register for the United States land office at Phœnix, where the receiver is John J. Birdno, likewise an editor, taken from the tripod of the Graham Guardian of Safford. Weedin's first experience in Arizona newspaperdom was on the Florence Enterprise, getting out its first issue March 20, 1881.

Of pioneer rank also are Anson H. Smith and Kean St. Charles, whose Arizona journalistic work has been upon rival journals in Kingman. There should be special mention also of the founder of the Coconino Sun, C. M. Funston, who early established in the north the grace of fine typography, continued to this day by his successor, F. S. Breen.

One of the personal pillars of Arizona journalism has been Geo. H. Kelly, now editor of the daily Douglas International, for years owner of the Solomonville Bulletin, one of the very best of the early weeklies. A son, Will Kelly, reared in the work, now operates the Copper Era at Clifton. At Douglas also is a second daily, the Dispatch.

The Arizona Press Association was organized February 9, 1891, with L. C. Hughes as president. The other offices were filled by John H. Marion, Geo. W. Brown, S. C. Bagg, W. L. Vail, J. W. Dorrington, N. A. Morford, John O. Dunbar and Ed. S. Gill. Two subjects especially were discussed at the first meeting, the price of legal printing, which was thereupon set by the Legislature at a high rate, and methods of combination of the newspaper men in order to get favorable consideration of the craft from the legislatures.

EDITORIAL OPTIMISM

The names of Arizona newspapers frequently have been given with keen appreciation of local conditions. For instance, a great industry is appropriately represented by Our Mineral Wealth and the Mohave Miner of Kingman, the Prescott Journal-Miner, the Wickenburg Miner, the Miami Silver Belt, the Tombstone Prospector, and Prescott Pick and Drill, the Pinal Drill, the Clifton Copper Era, and the Jerome Copper Belt. The Sentinel of Yuma, the Vidette of Nogales and the International of Douglas naturally are on the border, watching out. The Sun is not out of place in Yuma, though another paper of the same name is published in the less-torrid Flagstaff, wherein the first journal was the Flag. The Nogales Oasis surely is an agreeable name in a desert land. The long-stilled Voice of Casa Grande might have been likened to one crying out in the wilderness. Clifton had a Weekly Clarion and Saint Johns an Apache Chief.

Some people still write to Arizona for the Arizona Kicker. There never was such a sheet, outside of the Detroit Free Press office, though the editor of the Tombstone Epitaph once thought the name a valuable one and tried to hold it for the outside circulation of his strictly sober and unemotional weekly. There never was a paper in Arizona that looked like the Kicker, or that had an editor of the pistol-carrying, swash-buckling type.

Outside of a sort of psychic fascination, there appears to have been no possible reason for the way in which men have plunged into the deserts and mountains of Arizona to establish newspapers. Yet there has been pride in many an Arizona hamlet, with its people gathered around the little hand press, to welcome the birth of a journalistic babe of promise that should carry afar the story of their greatness and of their hopes. Damp and limp the first copy came off the press, and with its appearance the camp forthwith stepped full-panoplied into metropolitan magnitude. The editor would not have changed jobs with Horace Greeley. There was a paper at Quijotoa, the Prospector, created February 23, 1884, by Harry Brook, one of the pioneers of Arizona newspaperdom, and later an editorial writer on the Los Angeles Times. Gayleyville in the Chiricahua Mountains is only a memory, for it was gutted and burned by the Apaches more than thirty years ago; but it had a newspaper before then, and at the nearby more modern, yet scarcely larger, camp of Paradise was established another. Just think of the immense optimism that named a mining camp Paradise, though it may look that way to a newspaper martyr. There have been papers at Tubac, Mineral Park, Chloride, Maxey, Naco, Congress Junction, Pinal, Gila Bend, Arizola, Courtland and a score of other places today of relatively small population or utterly off the map.

About sixty publications are being issued today, about a fourth of them daily. It is a notable fact that Arizona has ten members of the Associated Press taking news daily by wire, though the state's population is only about 220,000. There are eight memberships in Arkansas, population 1,574,000; two memberships in Delaware, population 202,000; three in the District of Columbia, population 331,000; six in Idaho, population 325,000; five in North Dakota, population 571,000; and the comparison could be carried further into a half-dozen other states and would further sustain the journalistic pride of Arizona. There is little doubt that Arizonans are better patrons of the public press than almost any other people within the Union.

Major A. J. Doran, one of the earliest pioneers, has stated, with all warmth of expression, that the press has been the most potent of the factors that have worked for the civic and material uplift of Arizona. It is probable that he is right, and yet not because all Arizona papers were uplifters and reformers. Some of them had decidedly bad policies and a few editors possibly had quit their former homes under pressure, but most of the editors of the pioneer period in Arizona were men of even more than average standing in their communities. Most of them, undoubtedly, would be out of place in the modern newspaper, where the old tramp printer, such as Bill Luddy or George MacFarlane, has been succeeded by an expert machinist, who sits before a wonderful erection of steel and piles up more composition in a night than one man used to put up

in five, and where the perfecting press has succeded the old hand press, with its laborious output of a "token" an hour. Yet, after all, the press in Arizona remains the same in this, that it voices its community's best hopes, that it prints little of evil and much of good, and that it advocates betterment in all things material and civic.

CHAPTER XLIII

ARIZONA'S WAR RECORD

Participation of the "Rough Riders" in the War With Spain—Honor to the Flag of the Arizona Squadron—Captain O'Neill and the Monument at Prescott—The First Territorial Infantry—National Guard of Arizona and Its Service on the Field.

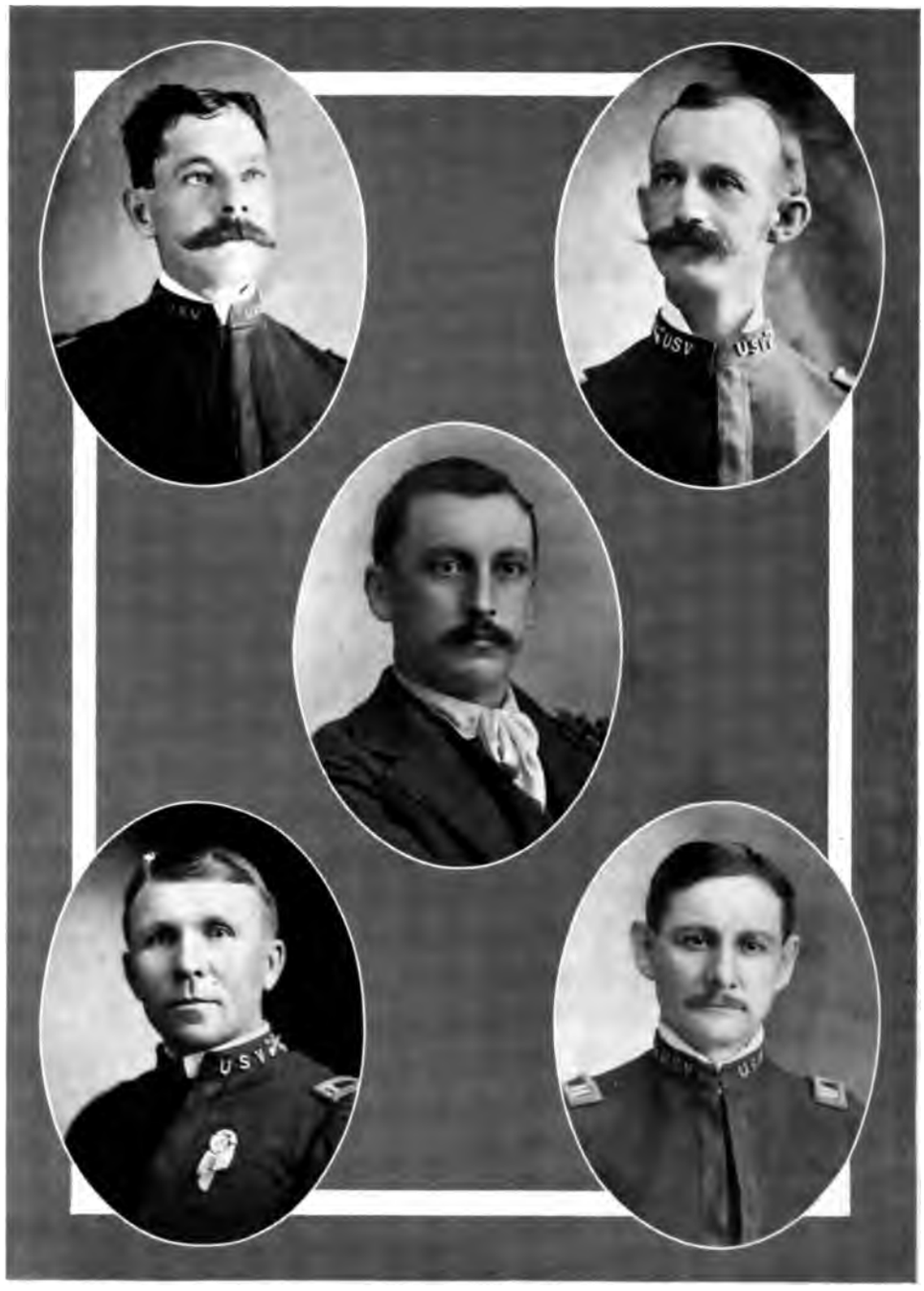
Though itself a battle ground for centuries, and though the blood of slain thousands has sunk into its sands, much of the warlike fame of Arizona rests on its record in the war with Spain. It cannot be said that Arizona was very particularly interested in this war. It was rather remote, and the circumstances were not such as to arouse any great patriotic fervor, but the adventurous spirit of the Southwest caused the offer of far more men than the quota allotted to the territory. The war was rather slow in coming. President McKinley had used every diplomatic means to avoid it and it is probable that war would not have occurred had not the Maine been blown up in the harbor of Havana. Thereafter the jingo press simply led the Nation into a demand for war, which finally was declared April 21, 1898.

Two days later, the President issued a call for 125,000 volunteers and on May 25 for 75,000 more. These were in addition to the strength of the standing army, which at that time was 2,143 officers and 26,040 men. The total strength gathered approximated 275,000 men.

The act of April 22 empowered the Secretary of War to recruit from the Nation at large, troops with membership possessing special qualifications not to exceed 3,000 men in all. Under this authority were created volunteer cavalry regiments, known as the First, Second and Third United States Volunteer Cavalry. It was assumed that their membership would be almost exclusively cowboy in character, every soldier a horseman and a rifleman, inured to hardship and able to take care of himself and his horse in any difficult situation.

Secretary Alger commissioned as commanders of these regiments Colonels Leonard Wood, Jay L. Torrey and Melvin Grigsby. The Second and Third regiments, which appeared to have had rather disappointing commanders, never got farther than southern concentration camps. They were recruited mainly in Montana and Wyoming and seem to have been generally of excellent enlisted personnel.

The First United States Volunteer Cavalry later became known as Roosevelt's Rough Riders. It would appear that the name grew out of an observation by Roosevelt that he was to join a command of "rough riders," men who could ride bad horses, though Roosevelt himself refers to the christening of the



Lieut. Samuel Greenwald Capt. W. O. O'Neill Lieut. J. D. Carter
Lieut. George B. Wilcox Capt. J. L. B. Alexander

GROUP OF ROUGH RIDER OFFICERS

regiment by the public as "for some reason or other." Within itself it was known also as "Young's Horse Marines" and as "Wood's Weary Walkers."

It should be told that when the Arizona contingent of the regiment was being raised, there was no knowledge of its ultimate destination in a military sense. The idea itself was that of Wm. O. O'Neill, better known as "Buckey." O'Neill always had had military aspirations. In 1880, when the citizens of Phœnix had organized a troop of rangers under Maj. C. H. Vail, to chase hostile Indians, O'Neill was one of his lieutenants, though to be disappointed in seeing active service. In Prescott, he was made captain of a militia company. His military leaning was not because of any fondness for bloodshed. Indeed, when his company was called out to guard the scaffold during the execution of Dilda, a murderer, he fell in a faint, suddenly struck by the horror of the scene. Later he served as adjutant general under Governor Wolfley.

O'Neill wanted to raise a full regiment of cavalry, and proceeded on that line. He took up the recruiting in the northern part of the state. The southern enlistment was looked after by his old friend, Jas. H. McClintock. The colonel was to be Alexander O. Brodie of Prescott, a graduate of West Point. Brodie had had distinguished service on the frontier as a lieutenant in the First Cavalry and had campaigned against the Apaches. He had resigned from the army to take up the work of a civil engineer. Held in the highest esteem throughout northern Arizona, he was elected recorder in Yavapai County. Also he was the first line colonel of the National Guard of Arizona.

About 1,000 recruits for the proposed regiment had been enrolled by the date of the declaration of war. The services of the regiment had been offered to the war department almost daily for weeks, in letters and telegrams, sent by Governor Myron H. McCord.

The governor accepted with pleasure the suggestion that Colonel Brodie should be the ranking officer of the proposed organization. But he did not like O'Neill, who for several years theretofore had been his active political enemy and who had scored him severely in writings in the public press. There had to be some stiff argument on this point before McCord could be shown that public duty should be placed above personal prejudice.

April 26, five days after the declaration of war, there came to the governor the formal call to arms. It was disappointing in one respect: He was advised that from Arizona would be taken only 210 men, to form a part of "a crack regiment of cavalry, that would be specially armed and equipped for special duty."

The governor promptly wired the war department nominations of Brodie as major and of O'Neill and McClintock as captains. Very soon thereafter were added the junior appointments. O'Neill's first lieutenant, and later his successor in troop command, was Frank Frantz, a young Prescott business man, and his second lieutenant was Robert S. Patterson, a Graham County banker. In McClintock's troop, the lieutenants were J. L. B. Alexander, a prominent Phœnix attorney and democratic politician, who also had been an active political enemy of McCord's, and George B. Wilcox, who had had prior military service in the Fourth Cavalry and who was senior hospital steward at Fort Huachuca when Colonel Wood was surgeon at that post.

April 27, only a day after the call came, the time mainly consumed in physical examinations and with forced rejections of about two-thirds of the applicants, the first of the southern Arizona contingent, twenty-eight strong, left for the rendezvous at Whipple Barracks, probably the first movement of organized volunteers to the front. It was deplored at the time that many cowboys, just the timber needed to rely upon, failed to pass the tests set by the medical officers.

STARTING FOR THE FRONT

The scenes of parting were affecting in the extreme. The troop had been given God-speed by Governor McCord, in his chambers at the temporary capitol, in a speech that brought tears to the eyes of nearly all. At the depot had been gathered practically all of the population of the city, so massed that the little column, flower-laden, could scarcely break its way through to the train. The last straw, as the train slowly moved out, was the singing, by the massed church choirs of the city and a chorus of normal school girls, of "God Be With You Till We Meet Again."

Further detachments from the north and south, summoned by telegraphic orders, came into Whipple for several days thereafter, until the last possible man had been enlisted in the two troops. The muster-in at Fort Whipple was made by Second Lieut. Hershell N. Tupes of the regular army. This muster proved erroneous in some points and was duplicated on May 15 by Lieutenant Tupes, who traveled to San Antonio for the purpose. Thus it follows that the Arizona contingent is not given its true credit for seniority in the records of the war department. There were busy days at Whipple Barracks, for Major Brodie was anxious to be off. The last man had hardly had his physical examination when the squadron, on May 4, started for the regimental rendezvous in Texas. Entrainment was at Prescott. The squadron was marched from Whipple to the Courthouse Plaza, where there was brief ceremonial.

The command had been routed around through Oklahoma, via the Santa Fé, but opportune washouts caused the selection of a more direct route over the Southern Pacific, through El Paso. Colonel Wood already was on the ground with his adjutant. Lieutenant-Colonel Roosevelt had remained behind at Washington to hurry up the shipment of war munitions. Aided by his full knowledge of departmental procedure, this he did with wonderful success, securing tentage, saddles, arms and everything else that was necessary. The regiment itself was favored over all other volunteer commands that went to Cuba in being armed with Krag-Jorgensen carbines, of a type that had lately been given the mounted troops of the regular establishment. These carbines, using smokeless powder and with high muzzle velocity and low trajectory, placed the regiment at least on an equality with the Mauser-armed Spanish.

At San Antonio there was much work of drilling, of mounting and of equipping, and in this the Arizona squadron grew to full appreciation of the ability and knowledge of Major Brodie. The regiment, as organized in Texas, comprised twenty-seven officers and 994 enlisted men. To secure the full formation of twelve troops, there was somewhat of a shake-up and the two troops from Arizona with strength of 107 men each, were called upon to give thirty-seven men each to a third organization, lettered as "C." Lieutenant

Alexander was promoted to the command of this. Second Lieutenant Patterson was made his first lieutenant, and Hal Sayre of Colorado, son of a high army officer, was made second lieutenant. In Patterson's place in O'Neill's troop was promoted Quartermaster Sergeant J. D. Carter of Prescott. In Troop B, Wilcox was moved up to first lieutenant and First Sergeant T. H. Rynning secured promotion to shoulder straps. Rynning was a skilled officer, who had had service up to the grade of first sergeant in the Eighth United States Cavalry. Special mention should also be made of First Sergeant W. W. Greenwood of Troop A, an old soldier, and of First Sergeant Wm. A. Davidson of Troop B. The latter, like Rynning, had been a first sergeant of regular cavalry. Troop B was rich in soldiers of experience, including its quartermaster sergeant, Stephen A. Pate, who later died at Fort Bayard, after service in the Philippines, from the result of a gunshot wound through the lung, received in the Cuban campaign, Sergeant Elmer Hawley, who was an old Fourth Cavalry regular and Sergeant John E. Campbell. Campbell, who lately died at the Soldiers' Home in Sawtelle, California, was a soldier of rare ability, whom lack of education alone kept to the rank of a non-commissioned officer. Later he had distinguished service in the Philippines as first sergeant in the Thirty-fourth United States Volunteer Infantry.

When O'Neill was killed, John C. Greenway was transferred from Troop G to be first lieutenant under Frantz. Greenway then hailed from Hot Springs, Arkansas, but later came to Arizona as manager of mines at Bisbee. Sergeant Sam Greenwald of Troop A was commissioned as a second lieutenant just before the muster-out of the regiment.

Under the final organization, Troops A, B and C, with Troop D of Oklahoma, Capt. R. D. Houston, constituted the First Squadron, under Major Brodie. Under this readjustment, the original local subdivision of the troops was very much broken up, and into the Arizona squadron were placed a considerable number of new recruits, who came from almost anywhere except Arizona. Thus were gained, however, a considerable number of eastern college men of exceptionally high character, who were soon taken into the fullest comradeship by the men from the Southwest. Several of these new comrades later secured commissioned and non-commissioned rank.

It was at San Antonio that the regiment first learned of its popular designation of "Rough Riders." Assuredly a lot of rough riding there was done, for the regiment was equipped fully with horses, which afterwards proved to have been unnecessary. These horses were purchased as broken, but many were right from the ranges. It was no unusual sight, when the Arizona squadron reined into line for three or four horses to bolt wildly out and start "bucking," in defiance of all military rules and regulations. It is not remembered that any of the men were dismounted thereby, though they complained bitterly that their McClellan saddles had no horns.

The term "Rough Rider" in the popular mind usually is associated with a khaki uniform, a hat turned up on the side and a polka dot handkerchief. The regimental service uniform, till after the return from the Cuban campaign, really was of brown duck, the ordinary fatigue clothing of the regular army. When double sewed, it was all that could have been desired, cool, strong and neutral-colored.

It was in San Antonio also that the regiment had fastened upon it the war song, later generally recognized as especially its own. San Antonio had a fine military band, led by corpulent Karl Beck, whose greatest joy was to come to the camp at the fair grounds, take station before the Colonel's tent, and noisily execute some stirring, warlike composition just about the time the Colonel and his officers were in serious consultation. Beck's favorite tune, probably because he saw it pleased the soldiery, was, "There'll Be a Hot Time in the Old Town Tonight." The song, with its doggerel wording, went with the regiment eastward, and when the vessel that bore the Rough Riders was towed into the bay from its berth beside the wharf at Tampa, past two score of other army transports, every band on the vessels passed successively "played the regiment out" with the same tune. In Cuba, the Spaniards gained a very erroneous impression concerning the patriotic music of the invaders, for they distinguished "The Hot Time" as "El Himno Nacional de los Yanquis."

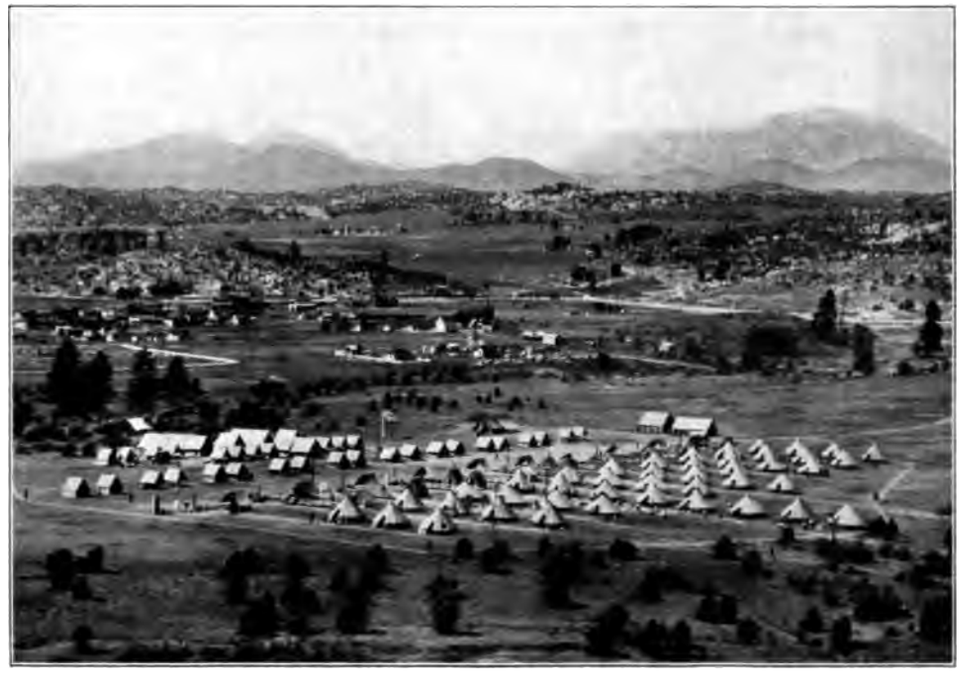
The Arizona squadron led the regiment out of San Antonio, entraining May 29. There had been rumors, with seemingly good foundation, that the war department proposed to land the Rough Riders on the southwestern coast of Cuba, there to join Cuban troops and to march eastward to form a junction with the main invading force. With all due consideration of the Cuban army, this rumor luckily proved untrue. Instead of Galveston, the destination was Tampa, Florida. Incidentally, this port was probably the worst that could have been chosen anywhere in the United States outside of Florida, and its selection is assumed to have been due to the influence of a skillful railroad lobby at Washington. The port was to be reached by a railway with but a single track and there was only one wharf from which to load.

Tampa was reached June 4, after a leisurely trip over southern railroads, whereon the employees seemed willing, but rather out of the habit of rushing. One such experience was at Tallahassee, where the horses had to be watered, and where only one cattle chute was available for their unloading. There being no watering trough near the railroad, the horses were all driven up into the old town and given a drink around the historic capitol of Florida, in zinc and wooden tubs brought out by the negro servants of the interested and most cordial local residents.

At Tampa, camp was made in the pines, and the regiment was assigned to the First Cavalry Brigade of the Fifth Army Corps. This brigade was commanded by Brigadier General S. M. B. Young, later retired as lieutenant general from command of the United States army. The Rough Riders were accepted at the start as available and efficient, as was shown in their assignment to a brigade wherein the other fractions were the First and Tenth regiments of cavalry, organizations of the highest standing within the army. The stay in Tampa was of only ten days. The camp, with the men quartered in light shelter tents, was made quickly and in good order. Drilling was with especial attention to battle formations.

On the evening of June 7 orders were received to be at Port Tampa at daybreak the following morning, with only eight dismounted troops of seventy men each. Four junior organizations were left at Tampa, together with about fifteen men from each of the departing troops, the latter to come along with the horses when the landing had been effected. The same was done in every

"WILD BILL" OWENS OF TROOP B
A cowboy Rough Rider



CAMP OF ARIZONA NATIONAL GUARD, PRESCOTT, SEPTEMBER, 1909

cavalry regiment, save that some were only allowed to send four troops. It was understood that the force was simply an expeditionary one, to land and prepare the way for the main body. The organizations left behind at Tampa, under Maj. H. B. Hersey, were those of Captains Alexander, Curry, McGinnis and Day. Nothing save credit can attach to the officers and men of the contingent left behind, for they obeyed orders and did a work fully as important as that of the force which "went down to the battle."

Under this distribution of the squadrons, Lieutenant-Colonel Roosevelt went out in command of four troops, ranking Brodie. The latter was fortunate enough to take three of his troops and gained a good fourth in Troop E, commanded by Capt. Frederick Muller, who had had experience in the regular army.

Despite the orders received, no transportation was provided, and after several shifts between the railroad tracks, long after midnight the commanding officers practically seized a train of coal cars, into which the men and their blanket rolls were loaded, together with a few tons of cartridges, and the journey of nine miles to the port was concluded well after daylight. At Tampa the situation was no better, for no transport ship had been provided, and the long wharf was crowded with thousands of men who didn't seem to know where they were going or what they were to do. Colonel Humphrey of the quartermaster's department finally was located. He allotted the regiment a transport, the Yucatan, No. 8. It was found that she had previously been alotted to two other regiments, the Second Infantry and the Seventy-first New York Volunteers, either one of which had more men than could possibly have been stored aboard. So Wood and his men double-timed down the wharf to board the boat just a few minutes before rival claimants to its accommodations appeared.

Though promptly set out into the bay, it was only to anchor, for there had been rumors of the coming from Spain of what later was known as the "Spook Fleet." Finally the start was made on June 13. There was a very close approach to a conclusion of the trip at its very beginning. As the Yucatan was proceeding down the shallow channel to the sea, a large troop ship, just ahead, stuck her nose into the mud and swung with the tide across the channel. The Yucatan's captain barely managed to escape cutting the other ship in twain. Unknown to the soldiery of both ships, who regarded the collision as rather a pleasant break in the monotony, the Yucatan in her bow carried about a ton of gun-cotton ammunition for a dynamite gun, which had been given the regiment, in keeping with the idea that it was a freak organization.

The expedition comprised the Fifth Army Corps, under command of Maj.-Gen. Wm. R. Shafter, for many years Colonel of the First Infantry in Arizona and perhaps better known throughout the army as "Pecos Bill." Just why he was placed in command has never been explained. Not only had he never shown any especial capacity for large command, but he was almost incapacitated for active service owing to excessive weight.

ARIZONA'S FLAG FIRST RAISED IN CUBA

The regimental flag of the Rough Riders, like the organization itself, was volunteer in origin. When the detachment of recruits left Phœnix the fact that it had borne no flag was noted by a number of ladies of the Relief Corps

attached to the Phœnix post of the Grand Army of the Republic. They searched the city for silk of the proper color, but could not find any heavy enough for the purpose. But, doing the best they could, they met at the home of one of their number and spent almost a whole night in a labor of patriotic devotion, never stopping till the flag was done and scissored stars had been well sewn on. As no cord could be found, the top of the staff was decorated with tri-colored satin ribbons. A few days later, at Prescott, the flag was formally presented by Governor McCord and a committee of ladies. From the war department no flags had been received, so the Arizona flag was carried at parades and displayed before the tent of the regimental commander.

After the shore and blockhouse at Daiquiri had been shelled by the war vessels of the American fleet and the Spaniards driven back, in one of the first small boats to land was the flag of the Rough Riders. On suggestion, it is understood, of Lieutenant-Colonel Roosevelt, it was taken to the top of a hill that frowned above the bay to the eastward, to be raised above a blockhouse which had been the target of the warships for hours, but which, possibly owing to its elevation, had escaped almost unscathed. The party that climbed the hill comprised the surgeon-major of the regiment, Doctor LaMotte, Color-Sergeant Wright and Chief Trumpeter Platt. At the blockhouse they were joined by Edward Marshall, a noted newspaper correspondent, later seriously wounded at Guasimas, and a sailor, who proved to be the only expert climber of the lot, and with whose assistance the flag was finally displayed, its staff lashed to the Spanish pole.

As the flag blew out in the breeze, there came on one of the most dramatic episodes of the war. The Rough Riders were on the transport Yucatan, close to the shore. An Arizona captain had seen the small party winding up the path to the top and had noted their maneuvers. He first noted the raising of the flag. As the wind caught its folds he snatched up a field glass and saw the streaming ribbons, then threw his hat to the deck, jumped to the top of the bulwark and yelled: "Howl, ye Arizona men—it's our flag!" and the men howled as only Arizona cowboys could, delirious in their joy and in the pride of their patriotism. Someone on the hurricane deck tied down the whistle cord, the band of the Second Infantry whisked up instruments and played "A Hot Time" on the inspiration of the moment, and every man who had a revolver emptied it over the side. Almost in an instant every whistle of the fifty transports and supply vessels in the harbor took up the note of rejoicing. Twenty thousand men were cheering. There was a rattle of musketry from the Cuban allies on shore. A dozen bands increased the din in only immaterial degree. Then the guns of warships on the flanks joined in in a mighty salute to the flag of the Nation, harbinger of victory, emblem of liberty. No flag on land or sea ever had grander salutation. And the flag was the flag of the Arizona squadron. The Arizona flag led the regiment on the awful day of Las Guasimas; it was at the front all through the heat of the battle of Kettle Hill; it waved over the trenches before Santiago and later was borne through the captured city to the transport.

At Montauk in waiting were a regimental flag and a standard, but they were snubbed. The colors had "run" in the squadron flag and it had lost its beauty. Its ribbons were torn and faded. But the rents that came from the

GOVERNOR McCORD PRESENTING ROUGH RIDER FLAG, PRESCOTT, MAY 4, 1898

COLONEL M. H. McCORD AND OFFICERS OF THE FIRST TERRITORIAL INFANTRY

flight of a half-dozen Spanish bullets only made it the more cherished and no other flag was carried till the day of muster-out. Somewhere in the show rooms of the war department at Washington are flags inscribed "First United States Volunteer Cavalry," but they never were in service. In Santa Fé is a handsome flag, presented by New Mexicans to the second squadron of the regiment, but it remained at Tampa with the camp guard troops and was never in action. In the office of the Governor of Arizona, in a deep, oblong, glass-doored box, is a draped American flag. In its folds are rents and holes. It is not handsome, yet it is held by the governor in trust as one of the most valuable of Arizona's treasures—the first flag raised on foreign soil by American soldiers in the war with Spain.

THE HOT FIGHT AT GUASIMAS

The southern coast of Cuba was reached June 20 and on the morning of the 22d came the order for landing at the little port of Daiquiri, where the Spaniards had been shelled from a couple of block houses by the fire of the ships of Sampson's squadron. The landing was at a small half-ruined staging. Here two negro soldiers were crushed between the boat and the wharf, and, loaded down with their cartridge belts, and probably dead already, sank to the bottom of the deep inlet. Captain O'Neill here distinguished himself in a manner that undoubtedly would have won him a medal of honor had he lived to receive it. In full uniform he plunged over the side to rescue the men, but without success.

Camp was made at Daiquiri beside a block house that had been wrecked by the fire of shells from the fleet. Each man lay down in the curve of his blanket roll, for there might be necessity to go on picket or to repulse a Spanish charge. All was quiet, as became the first night of landing on a foreign shore. Upon a hilltop, a Cuban bugle played "tattoo," the shrill notes mellowed into rare sweetness by the distance. Then some soldier seized the psychological moment. In a clear tenor, from somewhere near the center of the recumbent mass of men, he sang "Upon the Bank of the Wabash." He sang it alone. Be it to the credit of the good taste of his comrades, there was no interruption. When he finished, a little sigh appeared to run all through the regiment and each man settled back to slumber or to his thoughts. But one Arizona trooper hoarsely murmured, addressing no one in particular, "I guess that's about all I can stand. If he had sung 'Home, Sweet Home,' I would have gone over and murdered him."

The following day largely was spent in the inspection of a passing army of about 4,000 Cubans, the Orientales of General Garcia. It can hardly be said that the Arizonans enthused over their allies, who, generally, were bare-legged and ragged, were undisciplined and variously armed. As Sergeant Davidson put it: "And that is what we came down to set free! If the walking wasn't so damn bad, I believe I'd start back home right now."

At 3 o'clock that afternoon the regiment was ordered to Siboney, which was reached shortly after dark, after an exhausting twelve-mile march through the jungles, mainly in single file, with little attention paid to safety. The next morning, sunrise found the regiment toiling up a steep hillside, at last really going into action.

The night before, the senior officers had been in consultation with General Young and General Wheeler. The last named, already famous as a leader in the Confederate army, had been placed in command of the cavalry division. As General Shafter was still on board of the steamer Seguranca, General Wheeler was ranking officer on land. He had received from Cuban General Castillo a map of the country behind Siboney, in which the main Spanish position was shown at Guasimas, about four miles inland, on the inner trail to Santiago. Young's brigade was directed to march against this post. Colonel Wood's command, about 500 strong, was to take a ridge road, while the regulars, four troops each of the First and Tenth Cavalry, were to advance along a parallel valley road, to join a half mile from the enemy's outposts.

The assertion was made at the time that the Rough Riders were ambushed, as they were traveling over the trail. This was absolutely not so. Colonel Wood had been notified by Cuban scouts that he would find on the trail a dead guerilla, killed the previous afternoon. Captain Capron, an officer of experience in the Seventh Cavalry, was in command of the vanguard, and all possible precautions had been taken against surprises.

The civil governor of Santiago is authority for the statement that the Spanish force amounted to 4,000. There was considerable lying over the engagement, for the Spaniards could hardly admit that with such an army they had been defeated and driven from an entrenched position by an American force that numbered only 940. The Spanish position was in command of General Rubin, but present during the fight was Lieutenant-General Linares, the senior Spanish officer of the Military Division of Santiago de Cuba, accompanied by Generals Taral and Vara del Ray. Linares was shot and so badly wounded that the command of the Santiago forces later devolved upon Taral. The engagement lasted a couple of hours. The American fire, which was individual among the volunteers and not by volleys, proved very effective. According to the Spaniards, the Americans didn't know that they were beaten, but persisted in advancing, fighting in a peculiar style to which the enemy was unaccustomed.

It is probable that the Spaniards had been leaving their entrenchments for some time before the final rush of the Rough Riders, for when the Americans reached the trenches within them only were found twenty-nine of the Spanish dead. Spies and Cuban refugees later stated that for six hours that day, dead and wounded were being brought into Santiago. General Taral admitted a loss of 250, while the Spanish press conceded that seventy-seven were killed.

On the American side, Captain Capron and fifteen men were killed, and six officers and forty-six men were wounded. Corporal George H. Doherty and Private Edward Liggett of Troop A were killed. Major Brodie was shot in the arm, Captain McClintock received several machine-gun bullet wounds in the ankle. Thomas W. Wiggins and Norman L. Orme of Troop B were badly wounded.

The first reports of this battle of Guasimas, or Sevilla, as the Spaniards called it, received by the American public, were misleading and false. This was largely due to the report brought back to the people by a staff officer, who claimed to have been "sent" to the rear for reinforcements. He made remarkably good time, though on foot. At a block house, on the hill above Siboney,

ROUGH RIDER OFFICERS AT MESS, SAN ANTONIO, TEXAS

he met Farrier Barney Harmsen of Troop B, who, when attacked by acute rheumatism, had been left behind, with a broken gun. Harmsen had repaired the rifle and had painfully made his way up the hill. In answer to his inquiries, the officer, who had dropped from fatigue, told him that Troop B was "wiped out" and that he himself had seen the captain fall. Harmsen saw his duty clearly and, grasping the carbine, he started to hobble up the trail, remarking as he went: "If the good old troop is gone, by God it's my place to go with it."

SAN JUAN AND KETTLE HILL

The Arizona troops participated with their regiment in the fighting at San Juan, July 1-3, and in the rest of the Santiago campaign. There was heavy loss in action. In Troop A, Captain O'Neill and Privates James Boyle, Fred E. Champlin and Lewis Reynolds were killed and Sergeant Jas. T. Greenlee, Corporal Harry G. White, Trumpeter Emilio Cassi, Wagoner John H. Waller and Privates Fred W. Bugbee, Chas. B. Jackson, Edward O'Brien, Chas. B. Perry and Wm. F. Wallace were wounded. In Troop B the killed included Corporal Joel Rex Hall and Privates David Logue, Oliver B. Norton, Race W. Smith and John W. Swetnam. The troop list of wounded included Quartermaster Sergeant Stephen R. Pate, Sergeant David L. Hughes, Corporal Jerry F. Lee and Privates John M. Hall, John S. Hammer, Jas. E. Murphy and David E. Warford.

There were casualties among the Arizonans other than in battle. In Troop A, Privates Stanley Hollister, Alex H. Wallace and George Walsh died of disease. In Troop B, Leroy E. Tomlinson died of typhoid on the way to Cuba, and Wellman H. Sanders died in the trenches of fever. Since the war, largely from the effects of hardships and fever, it is believed that more than a third of the membership of the two troops has passed away. Almost nine-tenths of the Arizonans in Cuba were "on sick report" at one time or another before muster-out.

O'Neill's death was as dramatic as his life had been. He had proven an excellent officer, alert and painstaking, with a romantic view of the war which seemed to gloss over the hardships of the campaign. He was not the sort of soldier, however, who lay in a trench uncomplainingly. On the first of July his troop was in a sunken road behind a dense leafy screen, through which was coming a very hail of bullets, wasted by the Spaniards, as usually, only in the direction of the unseen foe. O'Neill, uneasy and anxious to see what was going on and to move forward, arose and walked along the line of the road in front of his men. A sergeant called to him to lie down, that he was in danger. With an airy wave of a freshly rolled cigarette, the Captain observed, "The Spanish bullet isn't molded that will hit me." Then it was that he was struck down by the messenger of death, shot through the head and instantly killed.

At the San Juan fight were six newspaper correspondents to every regiment actually in the field in Cuba. Yet there have been claims that the Rough Riders never were at San Juan. Possibly the best refutation is the list of killed and wounded. The Rough Riders charged an extension of the San Juan height, called Kettle Hill, for on its crest had been left a large sugar kettle. This hill was taken mainly by the Rough Riders, who drove from their front a large force of intrenched Spanish infantry and who later held the crest, digging trenches

at night to better sustain their position. The fighting was at least as severe on the Kettle Hill side as at San Juan and the casualties were as heavy.

Here should be punctured also a report, that seems commonly accepted, to the effect that the negro troops saved the Rough Riders at San Juan. A squadron or more of the Ninth Cavalry, colored, was lying in comparative safety in a depression at the foot of the hill and was passed over by the Rough Riders. Colonel Roosevelt, seeing his duty before him, joyously led the way forward. Whether he ordered the Ninth Cavalry to come on or not is entirely immaterial. Several of its captains, possibly disregarding orders to remain in reserve, called up their black troopers and in a moment there was a parti-colored line of carbine-bearing soldiery swarming up the grass-covered eminence. Assuredly this was not "saving" the Rough Riders. The two commands were only a part of a large army that was assaulting the Spanish position along a line that was miles in length. On the same subject, reverting to the Guasimas fight, four troops of the Tenth Cavalry, held in reserve for a brief period after the fight started, served magnificently in flanking and driving the Spaniards, toward the end of the engagement. But this, again, hardly could be called "saving" the Rough Riders, for the negro cavalry constituted only one-fourth of the attacking force. No better fighting was done on the Island of Cuba than by the negro troops, but the "saving" story is the veriest piffle.

After Guasimas, Colonel Wood had become a brigadier and Colonel Roosevelt had succeeded to the command of the regiment. The manner in which he led it is American history. Even finer than his conduct upon the battlefield was his regard for his men, who sickened by scores in the miasmatic trenches, both before and after the surrender of Santiago on July 16. It was he who finally started the movement for the return of the troops to the United States.

The regiment left Santiago August 8 and arrived at Montauk Point, New York, August 14. Troops C, H, I and M, which had been left at Tampa, had been brought to the Montauk camp only two days before, their members hardly in better condition than were the troopers who had gone to Cuba. The command became real cavalry again for only a short time, for it was mustered out of service September 15, 1898, with a strength of forty-seven officers and 1,090 enlisted men, present or absent.

There should be mention that Arizona also provided the regimental mascot. This was a half-grown mountain lion, presented by Robert Brow of Prescott. The beast, named Josephine, was as fierce as was the regiment in popular estimation. Josephine had been well cared for at Tampa and Montauk, but on the western journey was lost in Chicago. After the war nearly all the surviving Arizona troopers returned and quietly dropped into their old vocations.

Since muster-out, the Rough Riders have had several reunions. The first was at Las Vegas, New Mexico, June 24, 1899, on the anniversary of the battle of Guasimas and likewise on the day of the Feast of San Juan. A regimental association had been formed at the Montauk Point camp, with Brodie, promoted to be lieutenant-colonel, as president. The second reunion, a year later, was at Oklahoma City and the third at Colorado Springs, all three attended by Colonel Roosevelt, who proved a strong drawing card for the attendance of thousands of civilian sightseers. Then in April, 1902, while Colonel Roosevelt was Vice President of the Nation, came the reunion at San Antonio, where the

attending troopers were camped upon the same spot from which they started for Cuba. There has been no general reunion since that time. The regiment was nation-wide in its origin and most of the surviving troopers are men of moderate means. Attempts have been made to bring them to Prescott, particularly at the time of the dedication of the Rough Rider Monument, but distance and cost have prevented. At the inauguration of President Roosevelt, March 4, 1905, the President's personal bodyguard comprised a platoon of thirty Rough Riders, commanded by Lieutenant-Colonel Brodie. Other members from Arizona were Captains J. H. McClintock and J. L. B. Alexander of Phœnix, Lieut. G. B. Wilcox of Bisbee, B. F. Daniels of Yuma and C. E. Mills of Morenci.

In Arlington is a shaft in honor of the dead of the regiment, erected by the Rough Riders' National Monument Society, an organization headed by Mrs. Allan K. Capron, widow of the first Rough Rider commissioned officer killed in the Santiago campaign. The dedication of this monument, on April 12, 1907, was honored by the presence of the President of the United States.

Energetic citizens of Prescott, in May, 1905, headed by R. E. Morrison, conceived the idea of a magnificent statue and kept at the work until, on July 4, 1907, was dedicated the O'Neill Rough Rider Monument, on the very spot on the Prescott Plaza from which the Rough Riders had marched out for war. The statue, the work of Solon Borglum, is a magnificent bit of bronze, illustrating more the spirit of the regiment than serving to reproduce the form or features of O'Neill. The statue was accepted on behalf of the territory by Governor Kibbey and a notable feature of the exercises was a stirring poem, written and delivered in person by John S. McGroarty.

THE CAREER OF CAPTAIN O'NEILL

Wm. O. O'Neill was 38 years of age when he died in Cuba. He was born and reared in Washington and educated in Georgetown College. With a knowledge of typesetting and stenography as his capital, he came west to Arizona in 1879, to be a typesetter on the Phœnix Herald. He was printer and court stenographer for years, working in Arizona and New Mexico, at all times noted for reckless liberality that made him a friend of every man "down on his luck." "Buckey" was a designation early received for the fondness he displayed in "bucking the tiger,"—western parlance for gambling at faro. Most of the way on foot, he returned to Arizona from Santa Fé in 1881 and established himself in Prescott, for a while connected with the Miner and later with his own paper, the Hoof and Horn. He was elected probate judge in 1886 and two years later became sheriff. During this latter term he became famous through the capture of four robbers, who had held up the Atlantic & Pacific Railroad train at Cañon Diablo in April, 1889. A short time later, O'Neill, becoming dissatisfied with the way the Mormons were assailed, turned from the republican party to populism. It is worthy of note that in that convention the successful opposition was led by R. E. Morrison, who later was one of the men most instrumental in rearing a monument to O'Neill's memory. As a populist, O'Neill twice ran for Congress, and in one contest was nearly elected. With his death the party died in Arizona. At the time he left for Cuba, he was filling the office of mayor of Prescott. In spite of the fact that he gave away his loose

cash to any cowboy or prospector who asked, he had become wealthy through the sale of an onyx mine at Mayer and of a copper mine near the Grand Cañon.

Much has been written concerning an alleged utterance of O'Neill's, "Who would not die for a star!" This has been interpreted variously as meaning either the annexation of Cuba or the placing of Arizona's star of statehood on the nation's flag. Its real basis was in connection with the presentation of commissions to the senior Arizona officers in Phœnix, when Adjutant-General R. Allyn Lewis, lifting high a glass of wine, dramatically exclaimed, "Here we drink the soldier's toast—death or a star." The adjutant-general made explanation at that time that he meant the star that marked on the shoulder strap the rank of a general.

O'Neill was buried on the battlefield in a little valley near San Juan Hill. Search for the grave by Captain Alexander proving unsuccessful, Chaplain Brown, who had superintended the burial, was called on. He found the location and made positive identification, for, in the dead soldier's blouse, within O'Neill's match safe, he had placed a paper carrying the officer's name and rank. The body was returned to Washington and, May 1, 1899, there buried in all honor, in the National Cemetery at Arlington, beneath a massive granite monument inscribed with the name and with a brief chronicle of the deeds of the soldier who rested beneath.

The Twentieth Legislature passed a resolution introduced by Stevens of Pima County, expressing the sorrow of Arizona over the sad and untimely death of Captain Wm. O. O'Neill and of the other Arizona troopers who gave up their lives in the Spanish war. Expression was given "the high estimate entertained for Captain O'Neill's public and private ability and personal integrity and especially his distinguished patriotism when his country called for heroes." So therefore it was resolved "that we offer our kindliest sympathy to his sorrowing family and offer in alleviation in the pangs of suffering, that his life was gentle and the elements so massed in him that nature might stand up and say to all the world: 'this was a man.'"

THE FIRST TERRITORIAL INFANTRY

When the Rough Riders were enlisted in Arizona there was even opposition from the National Guard of that date, which claimed, with apparent justice, that it should have been made a part of the first army. But the first quota went to the First Volunteer Cavalry, and it was not until the latter part of 1898 that the National Guardsmen were given their chance. Arizona then was allotted three companies in an organization that was given the "top-heavy" name of "First Regiment Arizona, New Mexico, Oklahoma and Indian Territory United States Volunteers." When it was found that the initial letters would run around the collars of the officers and would occupy all of a soldier's hatband, the designation was changed to "First Territorial Infantry." The commanding officer was none other than the governor of Arizona, Myron H. McCord. He had had no military experience, but was an old-time associate of President McKinley, with whom he had served in Congress. McCord was deeply patriotic, but did little more than administrative work. Drill was handled by Lieut.-Col. D. G. Mitchell, a regular army officer of ability, who utilized the excellent material given him to whip into shape what undoubtedly was one of

ROUGH RIDER MONUMENT IN THE PLAZA, PRESCOTT

the best volunteer organizations enlisted in the war with Spain. The personnel was of the best. The companies were recruited to regimental strength of about 1,300. Four of the companies were from New Mexico and four from Oklahoma. The twelfth company was from Indian Territory, attached to the Arizona battalion.

The rendezvous of the Arizona companies was at Fort Whipple. Organization of the regiment as a whole was made at Fort Hamilton, near Lexington, Kentucky, in October, 1898. At Lexington it remained for about six weeks, when it was transferred to Camp Churchman, near Albany, Georgia, where it was mustered out in February, 1899. It had seen no service and there had been little incident, save forcible resentment by several hundred soldiers of the mistreatment, by the city authorities at Lexington, of several of their number. The regimental officers credited to Arizona, besides Colonel McCord, were Major Frank Russell and Regimental Adjutant J. W. Crenshaw. Company A was mustered in at Phœnix, July 4, with Russell as captain and Crenshaw and F. W. Hill as lieutenants, its strength nearly all National Guardsmen. Company B was from Tucson and other Southern Arizona points. Its officers were Capt. Herbert S. Gray and Lieuts. Wiley E. Jones (later attorney-general of Arizona) and Emanuel Drachman. Company C was credited to Prescott, although much of its strength was from Flagstaff. C. E. Donaldson was captain and F. C. Hochderfer and W. G. Scott were lieutenants. When Russell was made major, Christy followed him in command of Company A, Crenshaw became adjutant, Hill first lieutenant, and First Sergeant E. M. Lamson was commissioned second lieutenant. The death roll of the Arizonans during enlistment or immediately after discharge was small and included J. J. Sullivan and J. A. Arnold of Company A, T. E. Cunningham of Company B and H. E. Small of Company C.

February 15, 1900, in Phœnix, was held a reunion of the members of the First Territorial Infantry. In the chair was Colonel McCord, who stated that not for an instant had he ever regretted his action in resigning the governorship of Arizona for the command of such a superb body of men.

Arizona furnished a company or more to the Thirty-fourth Regiment of United States Volunteer Infantry, organized at Fort Logan, Colorado. Leading fifty-one young men from Phœnix were J. E. Campbell and A. H. Stanton, former Rough Riders and regulars. The enlistment was under the charge of First Lieut. Max Luna, a former captain of Rough Riders from New Mexico. Luna was drowned in the Philippines a few months later, while fording a stream in company with General Lawton.

ORGANIZATION OF MILITIA FORCES

During the early territorial period the war department furnished a large number of rifles on the receipt of the governor, to be issued to settlers for defense against the Indians. The rifles were distributed, but only a few ever came back. It would appear that they were not needed very keenly, for about every man had his own gun in those days. Still, a number of them doubtless armed the motley band of Mexicans and Indians that formed the greater part of the attacking force at Old Camp Grant, for, as early as October, 1866, the attorney-general was instructed by the Legislature to settle with Wm. S. Oury

for 105 muskets and 18,000 rounds of ammunition belonging to the territory and which remained unaccounted for.

Under the authority of legislative action, Governor Safford, late in 1870, organized a company of volunteers to protect the settlements in the Sonoita and Mowry sections and which operated in conjunction with the regular troops in scouting against the Indians along the border.

The Ninth Legislature early in 1877 gave authority to the governor to raise a company of volunteers to protect the settlers against hostile Indians and appropriated $10,000 toward the necessary expenses. The command was to embrace sixty men, within which might be included Indians. The captain was to receive $100 a month, each white soldier was to have $1 and each Indian 50 cents a day, with allowance of 50 cents per man for rations.

The citizens of Tucson in 1882 had raised and equipped a company of fifty men, under Capt. W. J. Ross, after having received assurance from Governor Tritle that he would recommend to the Legislature repayment of the sums expended in support of the organization. This amounted to $11,000, and Tritle turned the account over to the Twelfth Legislature, in 1883, as per agreement.

While there had been many volunteer organizations within Arizona, ranking as "militia," gathered usually in a desire to help against the Indians, the first company to be really mustered in appears to have been Company B, First Infantry, its captain, Frank S. Ingalls, commissioned by Governor Tritle on May 25, 1882. Captain Ingalls only a short time before had arrived in Prescott, to serve as secretary for the governor, after service in the military battalion of the University of California. Thus for years he held place as the officer of oldest service within the guard, from which he took retirement with the rank of major.

The first company was to have been one in Graham County, with Peter J. Bolan, a very well-known politician of the day, as captain. But Bolan's organization never reached the really military stage. The letter, about a year after, was taken by the Prescott Grays, a company headed by "Buckey" O'Neill.

In December, 1884, Governor Tritle instructed Adjutant-General M. H. Sherman to inspect all military organizations within the territory and take charge of all military property, much of it held by persons legally unauthorized. In 1887 Governor Zulick stated that only the two companies in Prescott could be accepted as regularly organized.

Since the organization of the National Guard of Arizona, it has had only four commanding officers. After the passage of the military law in 1891, Governor Irwin appointed as colonel of the First Infantry Alex. O. Brodie of Prescott, a graduate of West Point and a cavalry officer of distinguished service on the frontier. He served for only a year, resigning in May. 1892, when N. O. Murphy succeeded to the office of governor. Then, elected by the officers, the command of the regiment passed to John H. Martin of Tucson, who had had National Guard experience in an eastern state. Colonel Martin retired in 1902 and was succeeded by Jas. H. McClintock, who had had late service in the First United States Volunteer Cavalry. On the retirement of Colonel McClintock in 1912, Capt. A. M. Tuthill of Morenci was elected to the place vacated.

ARIZONA BATTALION, FIRST TERRITORIAL INFANTRY, WHIPPLE BARRACKS

SERVICE OF THE NATIONAL GUARD

In February, 1896, occurred the Fitzsimmons-Maher prizefight. It was assumed that Arizona was to be the favored locality, contemptuous of a congressional law making prizefighting within the territories a crime. The governors of Arizona and New Mexico were privately instructed by the Secretary of the Interior to see that the fight did not occur within those territories. In obedience, Gov. L. C. Hughes of Arizona used the only means at his disposal and very properly called out several companies of the Arizona National Guard. The governor and Adjutant-General Ed. Schwartz placed the work in charge of Maj. R. Allyn Lewis, First Infantry, later adjutant-general. Major Lewis learned that Promoter Dan Stuart intended to load his fighters and fight attendants on a Southern Pacific train in the El Paso yards, steal into the San Simon Valley about daybreak, two days before the fight was billed, and finish the fight in time to take the single east-bound train of the road the same afternoon.

So Companies D and F of Tucson, under the command of Captain Traylor, were dropped by Major Lewis at Bowie. The troops there remained about a week, while Major Lewis kept watch at headquarters in El Paso. A suggestion to go across the border to Juarez was defeated by the refusal of the Mexican authorities, with whom the state department at Washington had been in communication. The fighters and their admirers finally were started eastward on the Southern Pacific, and the fight was "pulled off" just across the Rio Grande at a point near Langtry, Texas.

The Legislature of 1899 cut off all appropriation for the National Guard, for some unknown reason only slightly connected with the opposition of labor organizations. The officers of the guard, for the succeeding two years, led by Adj.-Gen. H. F. Robinson, themselves paid all incidental expenses of the organization. The following Legislature, in March, 1901, passed a new militia code, giving authorization for the necessary expenses of the guard, established a salary for the adjutant-general and repaid him his expenditures.

The Legislature of 1903 passed an act effective June 1 of that year fixing the period of employment of workingmen in all underground mines at eight hours a day. Trouble started promptly on June 1, for a number of mining companies had made provision for an hourly rate of wages instead of the former payment by the day. The agitation covered practically every camp in the territory, but proved serious only in the Clifton District of Southeastern Arizona, where the mine owners had posted a wage schedule of nine hours' pay for eight hours' work. Inasmuch as the average compensation of the Mexican miners was only $2 a day, the new scale was considered below a living wage and so there was a strike of 3,000 men and the enforced closing of the works of the Arizona, Detroit and Shannon copper companies.

For the first few days, lacking union organization, the strikers lacked cohesiveness. Bands of them marched down upon mines and mills and enforced their demand for the stoppage of all industry. At Coronado thus was forced out of work a Roumanian, W. H. Laustenneau, better known as "Three-fingered Jack," who in another day had seized command of the strikers' forces. He was a wonderful liar. He told his followers that he had telegrams from President Roosevelt and from President Diaz, assuring him of support. On the strength of some miiltary training in his native land, he organized 1,600 of the strikers

into eight companies and evolved a clever plan of campaign by which he expected to capture the Town of Morenci. The plan failed, owing to two unforeseen circumstances. The first was a heavy rainstorm, on June 9, that opportunely swept down on the locality just as Laustenneau was marshaling his forces on the hills above the town. The other was the arrival of two battalions of National Guard Infantry on the afternoon of June 10.

When trouble appeared imminent, the mine managers so informed Acting Governor I. T. Stoddard, who forthwith ordered out the greater part of the First Arizona Infantry, under Col. Jas. H. McClintock, acting adjutant-general, and also telegraphed the war department requesting that regular troops be sent to support. The National Guard reached Morenci with all expedition and totally unexpected by the rioters. The mining works and stores were being held by a splendid force of American employees of the several mining companies, reinforced by a score of Arizona Rangers led by Capt. T. H. Rynning. Also to be considered was a considerable force of deputy sheriffs headed by Sheriff Parks.

The camp at once was surrounded with a cordon of soldiers who upheld the authority of the sheriff as he picked up a score of the leaders of the rioters. The bayonet had to be used in a number of cases, but no one was severely wounded on either side. The next day public meetings were dispersed and arrangements were being made by the mine officials for the reopening of their works, when the camp was reached by Colonel Lebo of the Fourteenth Cavalry, with five troops of dismounted cavalry from Forts Grant and Huachuca. The regulars remained in camp below the camp that evening and the next day the territory to be guarded was divided between them and the territorial troops. Within a week civic conditions, had returned to about the usual state and all soldiery had departed save a garrison of one troop of the Third Cavalry, sent in from Fort Apache.

In the latter part of 1915 more trouble materialized in the Clifton-Morenci District, where the miners struck for higher wages and for union recognition. The National Guard again was called in, under Adjutant-General Harris and Majors Donkersley and Grinstead, though with declared official sympathy with the strikers at the state capital.

After the passage by Congress of the Dick militia act, the administration of the Arizona National Guard was given much better support, nationally and locally, and today the citizen soldiery of the state, in a full regiment of twelve companies, constitutes a remarkably effective force, well armed and equipped and well trained.

CHAPTER XLIV

SOUTHWESTERN LAND GRANTS

Possible Benefit of Harsh Natural Conditions—Few Grants Made in Arizona—The Notorious Peralta-Reavis Fraud and How It Was Uncovered—Work of the Court of Private Land Claims—Railway Subsidy Grants—Modern Surveys.

According to one of Arizona's latest and ablest territorial governors, the harsh natural conditions under which pioneering had to be done in Arizona, the very hostile fringe of Apaches, were not unmixed evils. Where Nature had more friendly aspect, as in the lands on either side, the valuable sections speedily were parcelled out to politicians of the day, and thereafter were kept in large blocks, wherein the later American settler had small show of entrance. Many of the fairest valleys of California and New Mexico still remain in single private holdings, where hundreds of homes should be.

Few were the land grants of Arizona, and luckily they were placed upon few localities in which, in the end, they had blighting influence. It has seemed as though some beneficent power had saved the richer lands of Arizona for later and more beneficial uses. Today the valleys of the Salt and Gila and lower Colorado, saved from the Spanish land grant by desert passages and hostile Indians, know thousands of homes instead of a few great haciendas.

Under the ancient laws of Spain, Nueva España was claimed by the monarch as a conquered kingdom. For facility in handling a settlement of the lands in 1756, New Spain, exclusive of Upper and Lower California, was divided into twelve provinces, intendencias. One of these was the Intendencia of Sonora and Sinaloa, with headquarters at Arizpe, whereat most of the Arizona grants originated.

A bit of complication was afforded by the establishment of missions, each of which was granted ground for buildings and settlement farms and gardens. The missions particularly having lands in question in Arizona were Guebabi, on the present Arizona's southern edge, and Tumacácori and San Xavier in the Santa Cruz Valley.

Grants had been made for various purposes from the time of the independence of Mexico, around 1821, when the disposition of lands continued under about the same methods as before.

The former intendencia covering upper Sonora became known as the Estado del Occidente. In 1825 the Sonora Legislature, which had the resounding title of the "Constituent Congress of the Free, Independent and Sovereign State of the West," passed a law under which much of the northern lands passed under private control. It would appear that most of the transfers eventually were abandoned for various reasons, particularly drouth and Apache raids.

LISTING THE LAND GRANT CLAIMS

Under the terms of the Treaty of Guadalupe Hidalgo, in 1848, and the Gadsden Purchase, in 1853, the United States was bound to recognize all land titles. One of the principal duties of the surveyor-general of New Mexico, whose office was created in 1854, was to trace the validity and outline the boundaries of the various land grants. The same duty was put upon Surveyor-General John Wasson when he was appointed to the office of surveyor-general of Arizona in 1870. He and his successors could do no more than to gather up the loose ends of the land grant claims. This in itself was a serious task till the whole subject was referred finally to the Court of Private Land Claims, especially created to pass upon southwestern titles originating under the authority of Spain or Mexico.

Following is a tabulation of grants that were brought before the court, the acreage claimed and the acreage conferred:

	Acres Claimed	Confirmed	Rejected
Peralta grant	10,467,456	.....	10,467,456
San Rafael de la Zanja	152,889	17,353	135,535
San Ignacio del Babacomori	123,068	34,707	88,361
El Sopori	141,721	.....	141,721
Tumacácori, Calabazas y Guebabi	73,246	.....	73,246
Agua Prieta	68,530	.....	68,530
Tres Alamos	43,384	.....	43,384
San Ignacio de la Canoa	47,000	17,208	29,791
San Pedro	37,000	.....	37,000
Los Nogales de Elias	32,763	.....	32,763
San Juan de las Boquillas y Nogales	30,728	17,355	13,372
Aribac	26,508	.....	26,508
El Paso de las Algodones	21,692	.....	21,692
San Rafael del Valle	20,034	17,474	2,559
Buena Vista	18,648	7,128	11,520
San Bernardino	8,688	2,366	6,321
San José de Sonoita	12,147	7,592	4,555
Reyes Pacheco	600	.....	600
Total	11,326,108	121,187	11,204,920

The San Rafael de la Zanja (of the ditch) grant dated from May, 1825, when a grant was made to Manuel Bustillo of four square leagues of land in the vicinity of the Presidio of Santa Cruz. It cost all of $1,200, for there were other bidders. There was some confusion concerning this, for the Mexican surveyor absentmindedly laid off four leagues square for good measure. This grant embraces a large amount of valuable grazing and farming land in the present County of Santa Cruz, including the mining camps of Harshaw and Washington in the Patagonia Mountains. The grant passed into the hands of the Cameron interests of Pennsylvania, and today is included within an enormous and very valuable cattle ranch.

The San Ignacio del Babacomori grant lies in Cochise and Santa Cruz counties, in the neighborhood of the Presidio of Santa Cruz. The grant originally was made to Ignacio and Eulalia Elias, brother and sister, to whom it was sold December 25, 1832, for the sum of $380 for grazing purposes. The grantee under the court decision was Dr. E. B. Perrin.

El Sopori grant, of 141,721 acres, was rejected on the ground that "the original title papers were forged, antedated and otherwise were invalid."

The grant of Tumacácori de las Calabazas y Guebabi, approved for the entire claim, dated back to 1806, when a grant of land was given Juan Laguna, governor of the ancient Indian Pueblo of Tumacácori, to replace title papers that had been lost and destroyed. There were two sections granting lands for "fundo legal" for pueblo territory, and for an "estancia" or stock farm. The district was abandoned, at least temporarily, and, in 1844, under an act of the Mexican Congress, was sold at auction, realizing the large sum of $500, paid by Francisco A. Aguilar, from whom title descended.

The San Ignacio de la Canoa grant in the Presidio of Tubac was granted in 1821 to Tomas and Ygnacio Ortiz at an approved valuation of $30 a square league. This grant was confirmed by the Mexican Government in 1849 and again by the United States on favorable report of the surveyor-general in 1880, placing the title in Frederick Maish and Thomas Driscoll of Tucson.

The Boquillas grant lies along the San Pedro River. Title was given in 1853 to Ignacio Ellas Gonzales and Nepomuceno Felix for the sale price of $240. The ranch, which extended as far as the old settlement of Tres Alamos, was confirmed to the possession of George Hearst and Janet G. Howard.

The San Rafael del Valle grant dated back to 1832, when it was sold for $240 to Rafael Elias Gonzales as a stock farm. About 1874 the tract was claimed under a mortgage by Camou Brothers of Sonora, in whom title finally was vested.

Buena Vista grant, more properly known as the Maria Santisima del Carmen, was located in the jurisdiction of the Presidio of Santa Cruz, Santa Cruz County. The original grant, October 24, 1831, was to Doña Josefa Morales, from whom it had descended to Maish and Driscoll of Tucson.

San Bernardino grant, situated in southern Cochise County, was sold by the Mexican Government March 23, 1822, for $90, to Ignacio de Perez, from whom title had come to John H. Slaughter.

The San José de Sonoita grant lay in the rich Sonoita Valley, about twenty-five miles southeast of Tubac and six miles northeast of Calabazas, and was granted May 15, 1825, to Leon Henores, on payment of $105. The title was finally vested in Matias Alsus.

CONFIRMATION OF THE BACA FLOAT GRANT

Especially interesting was the application for title to the Baca Float Grant No. 3, a matter settled in the ordinary courts. Its basis was the purchase by the United States of a valuable grant in Northern New Mexico near the Town of Las Vegas from Luis Maria Baca, he receiving as consideration permission to take rights for the selection of five tracts of approximately 100,000 acres each. Two of these rights were placed in New Mexico, one in Colorado and two in Arizona. One of the Arizona "Floats" is in Western Yavapai County near Walnut Creek, and is owned by Dr. R. E. Perrin. The other right, on June 20, 1863, was dropped upon land in the upper Santa Cruz Valley, including the settlements of Tubac and Tumacácori and Calabazas. The claim was made within three days of the expiration of the three years' limit and was governed by stipulation that the land taken was to be non-mineral in character and

vacant, both of which conditions, it is claimed, were disregarded. The claim was located by John S. Watt, who in 1861-62 was delegate to Congress from the Territory of New Mexico. At that session he took occasion to praise highly the riches of Arizona. Possibly a speech of his is worth interpolation:

> An Italian sunset never threw its gentle rays over more lovely valleys or heaven-kissing hills; valleys harmonious with the music of a thousand sparkling rills; mountains shining with untold millions of mineral wealth, wooing the hand of capital and labor to possess and use it. The virgin rays of the morning sun first kiss the brow of its lofty mountains, and the parting beams of the setting sun linger fondly around their sublime summits, unwilling to leave to darkness and to night such beauty and such grandeur. If there be a single thought which lights up the ofttimes gloomy pathway of the faithful legislator, it is the sweet reflection that he has been instrumental in protecting the rights of a distant, feeble and oppressed peoples against the merciless barbarities of a powerful and treacherous savage foe. Let it not be said of us that while we were ready to spend untold millions of money and thousands of lives to protect our own lives and property, the appeal of this distant people falls upon our bosoms, "Cold as moonbeams on the barren heath."

And all this language was merely incident to grabbing some land.

The Baca case was decided adversely to the Baca heirs through the various grades of the land office, and by the Secretary of the Interior. It then went into the courts and though its area was materially shrunk, decision was finally given for the plaintiffs in the Supreme Court of the United States in 1914. The situation on the grant was a serious one. Seventy families were resident, one of them for forty-five years, and many for twenty-five years. George W. Atkinson, whose residence on the land had been for thirty-seven years, spent $40,000 in fighting the case and offered the heirs $250,000 for their interest, but failed. Patents had been issued by the United States for some of the land as far back as twenty-two years ago. The Arizona Legislature has memorialized Congress asking that relief be given to these victims of land litigation, and that they be permitted at least lieu rights on other Government lands.

MAGNITUDE OF THE REAVIS CLAIM

The first of the land grant claims noted, the Peralta, was one of the monumental frauds of the Western Hemisphere, a spurious claim to a tract of land 236 miles long and seventy-eight miles wide, the center of its western end at the junction of the Gila and Salt rivers and its eastern line beyond Silver City, New Mexico. It was pushed by a master crook, James Addison Reavis, who appeared first in Arizona in 1880, then a subscription solicitor for the San Francisco Examiner. He was successful in extending the circulation of his journal, in which he published a number of articles describing the country in florid language, particularly commending some Cave Creek mining properties of very dubious value. It is probable that his trip was merely to spy out the land, for his documents later showed that his claim had been in incubation for years.

Reavis' first attack upon Arizona's domain was on the basis of the Willing grant, which may have had some shadow of right on a small tract on the lower Gila. January 3, 1885, Reavis filed with the surveyor-general of Arizona an application for the survey and confirmation of the grant, in which it was alleged: "That the grant had been made December 20, 1748, by Fernando VI.

King of Spain, who in accordance with a memorial of the Inquisition and the recommendation of the Council of Commerce and of the Judge of Appeals, and in conformity with an order of the Military Tribunal, in consideration of and as compensation for great and valuable services, as well also for the energetic conduct of important battles in the service of the Crown, had conferred upon the Señor Don Miguel de Peralta de Cordoba the honorable title of Baron of the Colorados, and commanding the Viceroy of New Spain, now Mexico, in the name of the Crown, to grant and concede to Señor Don Miguel de Peralta de Cordoba, according to the common measurement, 300 square leagues, or 19,200,000,000 square varas of land, to be situated in the northern portion of the Vieroyalty of New Spain."

In 1757, according to Reavis' documents, the grant was made north of San Xavier del Bac, to measure ten leagues by thirty, this with the approbation of Father Pauver (Paner) and Father Garcia (Garcés) as not conflicting with the claims for mission lands. Reavis had a formidable lot of documents of quaint phraseology and ancient appearance, and wherever his chain of title was lacking, he had well-attested copies. All of these brought the title down to Miguel Peralta, who had deeded it to Willing in 1864.

Willing is said to have interested Reavis in the matter in St. Joseph, Missouri. The first documents presented by Reavis showing his entry into the claim was a deed dated in 1867 from Willing's attorney-in-fact.

The claim started a veritable panic in the thickly settled Gila and Salt River valleys, where Reavis, in person and by paid agents, spread the story of his alleged rights upon the land, water and mines. The matter was made the principal issue of the congressional campaign of 1887, and Marcus A. Smith was re-elected delegate to Congress largely on the basis of his opposition to a plan that had been broached for the creation of a board of private land claims to adjudicate the rights of Reavis as well as the title to other land grant claims within the Southwest. There was a general impression that Reavis had a legal claim. At that time such matters could only be settled in Congress, and Representative Smith, declaring against the land-court plan, assured the people of his ability to block any action adverse to their interests. Thomas Wilson, the republican nominee, admitting his belief in the beginning of the campaign that he saw no better place to adjust such matters than in the courts, was condemned at once and he was snowed under at the polls. But the bill establishing the Court of Private Land Claims passed Congress soon thereafter.

After all of this, Reavis took another tack. In Northern California he found him a wife, whom he claimed to be the only blood descendant of Don Miguel de Peralta de Cordova. He said that he had accidentally discovered her in a Mexican hamlet where he was investigating the Willing title and where she contributed some documents showing her birth, christening and parentage, and that she was the survivor of twin children, the last of the Peralta line. After that he prosecuted the claim entirely on the basis of his wife's interest.

Here it might be told that the bride was a halfbreed Indian woman, who had lived for much of her life on an Indian reservation in Northern California, and who had no connection whatever with any Mexican history. She was taken to Mexico to establish "local color" and was drilled daily for years in the story she was to tell. All of this she later confessed after evidence was pre-

sented of her true origin and her life in the upper Sacramento Valley. Even the date of Reavis' marriage to her seems to have been falsified.

DESCRIPTION OF THE PERALTA BARONY

In an advertisement in the San Francisco Examiner of date March 15, 1894, Reavis himself described the tract in these words:

One of the largest and best portions of the territory is the immense tract known as the Barony of Arizona, the property of J. A. Peraltareavis, which is now to be colonized on a large scale. The tract contains 12,500,000 acres and is known as the Peralta Grant, and is an old feudal property dating back to the time of Philip V of Spain, who granted it to Don Miguel Nemecio Silva de Peralta de la Cordoba in 1742. The grantee was a lineal ancestor of Mrs. Peraltareavis, a resident of California, into whose possession it has fallen by the Spanish law of primogeniture succession. The property has been in litigation for some years, but in November last the United States Court of Private Land Claims finally determined the exact boundaries of the estate, and thereby practically sealed Mrs. Peraltareavis' claims. A clear title to any or all of the property is thereby assured. There are few individual properties in New Mexico and Arizona so vast in extent and so admirably located for colonization purposes as the Peralta Grant. Beginning at the west end of the "monumental stone" situated at the most eastern base of the Maricopa Mountain, at the eastern extremity of the Sierra Estrellas, on the south bank of the Gila River, opposite the mouth of the Salt River, the line goes north 39.41535 miles, crossing the Gila and Salt rivers to a point; thence east 236.4921 miles to a point; thence southerly at right angles a distance of 78.8307 miles to a point; thence west a distance of 236.4921 miles to a point; thence north a distance of 39.41535 miles to the point of beginning, having been granted by metes and bounds. The grant embraces the Gila, Salt, San Pedro and San Carlos rivers as water-courses. It is impossible to estimate the value of this immense property, blessed as it is in mineral and agricultural resources. It contains the most famous mineral belt in Arizona, that of the Pinal Range, with the adjacent mountains in close proximity to these abundant streams; also the renowned Deer Creek coal fields, the largest coal measure yet discovered in America, and an anthracite deposit near the Gila Buttes which promises to surpass anything yet developed. Within the boundaries of the grant many important mining camps have sprung up, notably Silver King, Clifton, Silver City and Old Dominion. The Town of Phœnix lies within the border, as do also Florence, Globe, Solomonville and Silver City. The Southern Pacific Railroad cuts across the southwest corner. Numerous branch lines which are to traverse the very heart of this great property have already been surveyed and their projection is the question of only a short time.

Reavis described the wonderful fertility of the valleys of the Salt and Gila, which he proposed to irrigate by storing waters of the two rivers. One storage dam was to be "at the Little Tonto Basin," with a reservoir capacity of 989,-600,000,000 cubic feet. Another reservoir was to be located at The Buttes, about ten miles above Florence on the Gila, with an area of thirty-two square miles and with capacity of 67,540,432,425 cubic feet. From the latter was to be built a canal 200 feet wide and 25 feet deep, to extend to a point on the Southern Pacific Railroad near Red Rock, and thence westward to cover the Maricopa plains, designed to supply 6,000,000 acres with abundant water at all times of the year. The surplus water unused by these 6,000,000 acres was to be returned to the Gila River by means of spillway ditches. At another point in the same argument is reference to the irrigation of 1,000,000 acres of land below Florence by means of a tunnel from the dam at The Buttes. All of this is very refreshing, inasmuch as the damsite at The Buttes long ago was rejected as an impossible one and inasmuch as the flow of the Gila River above Florence has finally been adjudged by army engineers to be sufficient for the irrigation of

not over 90,000 acres. These figures should be considered in connection with Reavis' careful provision of means for the returning to the Gila River of any surplus of water after irrigating 6,000,000 acres on the plains.

At Tonto Basin he told of almost vertical walls 2,000 feet high, within which a dam 450 feet high was to be built, with sixty-three discharge pipes carrying water into the box cañon, "an impregnable chasm as dark as night," from which it is to be taken eight miles from the dam by means of tunnels leading out upon the plains to the north and south. The tunnel to the southward, through the Superstition Mountains, was to be 44,615 feet in length, with a fifty-mile waterway at its end, to connect with the Gila Buttes reservoir.

The total cost of all these projects was estimated at $12,535,637.00. It is possible that this southern tunnel referred to would have been nearer forty-four miles long than the length given, through one of the broadest mountain ranges in all Arizona. But it is evident that Reavis had to have some scheme such as this to contribute to his main plan, which was the irrigation of what now is known as the Casa Grande-Maricopa plain.

HOW REAVIS FINANCED HIMSELF

Reavis established headquarters of his Barony at Arizola, on the Southern Pacific Railroad, a short distance east of Casa Grande Station. There he maintained his family in state, with his two children clad in royal purple velvet, with monogram coronets upon their Russian caps. To different people he had different tales. He generally stated that the mines were his by right and also all of the land, but that he proposed, particularly, to appropriate to himself the water and thus control everything agricultural. Around Phœnix and Florence, after his agents had laid the groundwork, Reavis sold clearances of title, and some of them were placed upon record in Maricopa County. Everywhere reports were spread that the title had been pronounced absolutely flawless by Robert G. Ingersoll and other great lawyers, that the Southern Pacific Railroad had purchased, for $50,000, its right-of-way from Reavis across the Peralta estate and that the Silver King mine had contributed largely to his funds to secure against possible loss. It was told that in Phœnix, when several of the principal property owners refused to "come through," Reavis executed deeds to their property to covetous third parties. Thus, in divers ways, he secured funds for the carrying on of his fight. It is probable that most of his money came from weak-kneed, fearful land owners and not from eastern capitalists, as was reported at the time.

Reavis traveled very little in Arizona after his campaign was well under way, for he might have been treated harshly, but at first he was very open in his methods, even taking some of his documents around to establish credence of his tale. Editor Tom Weedin in Florence, looking over the Reavis papers, discovered that one very ancient document was printed in type that had been invented only a few years before. Surveyor General Johnson on another ancient document, a deed, found the water mark of a Wisconsin paper mill.

There was testimony to the effect that from 1887 until 1893 the Reavis family spent $60,000 a year, living at expensive hotels in New York and at points in Europe, especially at Madrid, where a retinue of servants was maintained, together with carriages of almost royal character. The American Legation at

Madrid would fain forget a banquet given by Reavis in its honor, although the spread was a wonderful one.

In further researches in Mexico, Reavis took his family and servants in a private car. At Guadalajara, he gave $1,000 for new altar cloths for the cathedral. At Monterey on the plaza he set up a $1,500 drinking fountain to honor the memory of his wife's suppositious ancestor. He established homes in Washington, St. Louis and Chihuahua, as well as Arizona. When the claim was transferred into the Land Court with it came a great accumulation of alleged original records, mainly in Spanish, ancient parchments, many of them with illuminated headings, and even there were copies of oil paintings of the Peraltas, from whom had descended the Barony of the Colorados. Testimony had been provided concerning the genealogy of the Northern California bride.

The chief attorney for the court was Matthew G. Reynolds of Missouri. He secured the assistance of Severo Mallet Prevost, a Spanish scholar, who went on the trail of the Reavis evidence which had been accumulated during a period of over eighteen years of labor and scheming. Bribery, corruption and fraud were found everywhere touched in Mexico and Spain. Reavis with all his care had been a bit careless. It was found where he had bought his photographs, where he had bribed officials and sought to bribe priests, where he had interpolated very cleverly written pages into old record books, and the most important document of all, the cedula appointing Don Miguel Peralta as Baron of the Colorados, on microscopic examination was discovered once to have been a royal document of very different sort.

The claim was unanimously rejected by the Justices of the Land Court, and the same day Reavis was arrested on five indictments for conspiracy. He was convicted in January, 1895, and sentenced to six years in the Santa Fé penitentiary.

CONFESSION OF THE ARCH PLOTTER

Reavis served his light sentence, and got time credits for good behavior. When released he was far from being the same debonair character he had been. He was a thin old man, with whitened hair and a stoop, but with much of the same mental vigor as of yore. He is still drifting around in the West. For a while he went back to his old business as canvasser, and in 1910 he worked hard to float a scheme for water storage on the Gila River, to irrigate 500,000 acres of the Casa Grande and Mesa plains.

Reavis does not deny his guilt, for some time after serving his sentence he wrote a confession, complete though brief, as follows:

> I am of Scotch-Welsh antecedents, with a traditional Spanish extraction in the remote generations. Three of my great grandparents fought in the Revolution. I was reared in Henry County, Mo. In May, 1861, at the age of 18, I enlisted in the Confederate army, and during my life as a soldier committed my first crime. I forged an order, and being successful in this, I raised a furlough, and before this expired I surrendered to the Union forces. After the war I worked as a street car conductor, but subsequently opened a real estate office in St. Louis. I was successful in forging a title to sustain a tax title to some valuable land I had bought, not knowing the title was imperfect. But these are incidents in which there is little interest. However, success in these early evils sowed the seed that later sprang forth into the most gigantic fraud of this century.

The plan to secure the Peralta Grant and defraud the Government out of land valued at $100,000,000 was not conceived in a day. It was the result of a series of crimes extending over nearly a score of years. At first the stake was small, but it grew and grew in magnitude until even I sometimes was appalled at the thought of the possibilities. I was playing a game which to win meant greater wealth than that of a Gould or a Vanderbilt. My hand constantly gained strength, noted men pleaded my cause, and unlimited capital was at my command. My opponent was the Government, and I baffled its agents at every turn. Gradually I became absolutely confident of success. As I neared the verge of the triumph I was exultant and sure. Until the very moment of my downfall I gave no thought to failure. But my sins found me out and as in the twinkle of an eye I saw the millions which had seemed already in my grasp fade away and heard the courts doom me to a prison cell.

Now I am growing old and the thing hangs upon me like a nightmare until I am driven to make a clean breast of it all, that I may end my days in peace.

In Denver, Sophia L. M. Peraltareavis, who described herself as wife of James Addison Peraltareavis (a name later adopted by Reavis), sued for divorce on the ground of non-support for over two years, and she was allowed to prosecute her case as a person without means. The plaintiff at the time lived in a narrow little room at the far end of a dark, smelly hall, in a cheap Larimer Street lodging house in Denver, under very different conditions than those she had enjoyed during the palmy days of the great fraud. She stated that the marriage was in San Francisco, December 31, 1882, and she asked the custody of the twin boys of the union, Carlos and Miguel.

A variation of the ordinary land grant case is one which cropped up only about a year ago on the basis of an agreement said to have been made in 1880 by José Maria Ochoa, head chief of seventeen Papago villages, and a number of other chiefs and captains, giving an undivided half interest in 3,284 square miles of land to Robert F. Hunter of Washington, D. C., for his services in verifying Papago claims to land on which they lived, their rights having had acknowledgment by the Mexican government. This claim has been taken into the courts and is now in the process of adjudication. It includes lands almost wholly within Pima County and generally desert in character.

RAILROAD SUBSIDY LAND GRANTS

With the grant of a right-of-way for the Atlantic and Pacific Railway across Arizona came also a governmental subsidy of every alternate section of land for thirty miles north and south. While much of this land is desert in character, the gift was a rich one in the mountains of Arizona, where from east of Flagstaff to a point west of Williams, most of the way was through heavy timber. Immense sums were secured by the railroad company by the sale of stumpage to sawmills at different points and the company itself at the beginning materially decreased the cost of construction by the ready availability of lumber for ties and other construction material.

Much of the railroad land north of Williams and at other points was not timbered, save possibly with juniper and piñon, yet much of this sort of terrain was embraced within an order for the consolidation of the San Francisco Mountain forest reserve secured from the Government early in 1901, when lieu land scrip was issued for an enormous acreage. For several years a diligent lobby had been working in Washington toward this end. A number of plausible reasons had been advanced in support of consolidation. It was urged that the Government or the state-to-be could hardly receive any revenue from land that

lay in parcels of only one square mile, that it was necessary to have governmental supervision by the Forestry Bureau over the entire tract, that future crops of pine might be saved and that the watersheds would be protected, though this last item had little force from the fact that the forests around Flagstaff and Williams almost wholly drain toward the north, into the Colorado.

The odd-numbered sections, held by the Santa Fé-Pacific Railroad Company, the Perrin Brothers and Wm. F. Baker, were turned over to the Government in exchange for 225,000 acres of non-timbered lands south of the twenty-seventh parallel and land scrip was given for the remainder. By executive order of August 17, 1898, all of the even numbered sections, embracing 975,000 acres, had been set apart within the San Francisco Mountain forest reserve. Baker represented the Saginaw & Manistee Lumber Company. The Santa Fé had holdings of 341,543 acres and the others of 369,955, in all valued for taxation at about $177,000. This listing, according to a protest filed in January, 1901, by Coconino County, did not embrace 300,000 unsurveyed acres or nearly $500,000 worth of cattle, horses and sheep. It was shown in the protest that nearly half of the assessed valuation of Coconino County would be removed by reason of the consolidation. The same protest was made in House Memorial No. 1, passed by the next Legislature.

The scrip secured was widely scattered. Some of it was placed in northern California in the center of great pine and redwood forests and only lately has the last been sold, generally placed in southern Arizona on lands considered susceptible to irrigation. One block of 70,000 acres thus was placed northwest of Phœnix.

The Santa Fé under its subsidy grant successfully had fought any attempt of the territorial or county authorities to tax its right of way, equipment or franchises. So, about the time of the lieu land troubles, there was a compromise, the railroad company offering to pay $175 per mile annually on its trackage through Arizona. This arrangement continued till statehood, when the Santa Fé went under the same taxation regulations as other transportation companies.

The Southern Pacific claimed all grants that had been made the Texas Pacific and alternate sections along its route, as far northward as the Salt River Valley were known as railroad land and were considered as locally held under rather poor tenure. This grant was vacated in 1884.

In January, 1908, President Roosevelt issued a proclamation making a national monument of the Grand Cañon and another creating an addition to the Tonto National Forest, as protection for the water supply of the Salt River Valley. Most of the forested area of the state now is under reserve regulation.

The Roosevelt Lake has been made a bird preserve by national proclamation. The Casa Grande ruins and certain cliff dwellings have been protected as national monuments. Between Phœnix and Tempe a tract of 2,000 rocky acres was set aside by the interior department in March, 1915, as the Saguara National Park.

WORK OF THE SURVEYORS GENERAL

When Arizona was made a territory in 1863, it was included within the official district of Surveyor General John A. Clark of New Mexico, who visited

LOGGING WITH THE "BIG WHEELS" IN THE FOREST NEAR WILLIAMS

YELLOW PINE IN THE MOGOLLON FOREST

the new country in 1863 and would appear to have made a rather extensive trip about two years later for in a report of May 24, 1865, he told of visiting, on a conical hill at the junction of the Gila and Salado, the monument established in 1851 by A. B. Gray, United States surveyor, in the course of the international boundary survey. The monument and the hill upon which it was erected having such commanding position, Mr. Clark announced that he had selected the monument as the initial point from which surveys of the new territory would be made. On this same trip Clark recommended that the Apaches be placed on a reservation below Pueblo Viejo on the Gila, which would have included the present Safford district.

The first surveys on the established Gila and Salt River base line and meridian were made in 1867 and the first township surveys a year later. Some of these old surveys, especially in the mesquite forests of the southern valleys, appear to have been made by the "mark-on-a-wheel" method and have been found most inaccurate.

With the new officers of the Territory of Arizona came a surveyor general, Levi Bashford of Wisconsin, but nothing can be found to indicate that he did anything in an official capacity. It may have been that Congress gave him no support in the office, for in July, 1864, Arizona was made a part of the district of the surveyor general of New Mexico and $10,000 was appropriated for the survey of public lands in Arizona. In 1867 Arizona was attached to the survey district of California. At the same time the land district of Arizona was created. July 11, 1870, Arizona was made a separate surveying district, and on the following day John Wasson was named as surveyor general. He entered on the duties of his office November 5, 1870, and served three terms until August, 1882. Wasson was succeeded by J. W. Robbins, who died in 1883, when the office was filled by Royal A. Johnson, who held the place till December 11, 1885. To succeed Johnson, President Cleveland appointed John Hise of Globe, whose place was filled in July, 1889, by the reappointment of Johnson. The democrats coming in again in 1892, the office went to Levi H. Manning, who resigned in April, 1896. Then a special consideration of competency was shown in the selection of George Roskruge, who had been chief draughtsman under Wasson, and who was one of the best known surveyors of the territory. With the incoming of the republican administration in 1897, the place was taken by George Christ, who had been the first collector at the Port of Nogales. In 1901, Hugh H. Price was made surveyor general and in March, 1902, the office was removed from Tucson to Phœnix, where the records were housed in the territorial capitol. On the removal of Mr. Price, 1903, Major Frank S. Ingalls of Yuma, was appointed and now is in his third official term. Mr. Ingalls is a civil engineer by profession, his experience dating back to 1878. He has been superintendent of the territorial penitentiary and also a member of the Legislature.

In 1870 a land office for Arizona was established at Prescott and notation has been found of the official existence, during the following year, of W. J. Berry as register and George Lount as receiver. The former in 1873 was succeeded by W. N. Kelly, and Kelly and Lount were still in office as late as 1881. The Gila land office at Florence was opened June 2, 1873, with Levi Ruggles as register and Martin L. Styles as receiver. For a while Charles D. Poston was

register, but the office in his time was very far from being lucrative. In 1881 the Florence office was removed to Tucson, where it remained until 1906, when both Arizona offices were consolidated at Phœnix.

One of the last general surveys made by the United States in the Southwest was that of Lieut. Geo. M. Wheeler of the corps of engineers, who, in 1871, headed a large party that platted much of the country between Reno, Nevada, and Tucson, running lines that aggregated 6,327 miles, covering 83,000 square miles of territory. The report of the expedition is extremely well written and is very interesting from both scientific and literary standpoints. Whether intentionally or not, the expedition followed the general line of the great rim of the Mogollon Mountains, the great uplift that divides Arizona into two climatic zones. Toward the northwest it was traced as forming one of the walls of Diamond Cañon, there crossing the Colorado and extending indefinitely toward the northwest into Utah and Nevada.

CHAPTER XLV

PRESIDENTS AND PUBLICITY

Visits to Arizona Made by Hayes, McKinley, Roosevelt and Taft—Expositions, Fairs and Fiestas—How Shark Island Swallowed Arizonans—Santa Teresa's Power—Clifton Foundlings—Arizona's Subdivisions—Utah's Aspirations—Census and Assessment Figures.

Arizona has been honored by visits from four Presidents of the United States. The first was in October, 1880, by Rutherford B. Hayes, who started the since common fashion among Presidents of swinging around the great circle. General Hayes came from the West. He had to leave the railroad for the passage of a stretch within New Mexico, for the Southern Pacific had been completed eastward only to a point near Deming. This wagon journey was made in army ambulances. At Maricopa, on the 23d, was made a stop of several hours, in order that the President might confer with a number of Indian chiefs who had been gathered there. A more than sufficient guard was provided by a troop of the Sixth Cavalry from Fort McDowell, led by Capt. Adna R. Chaffee, in later years the hero of campaigns in Cuba, the Philippines and China. The President was accompanied by a large part of his official family, including the then commanding officer of the regular army, Gen. Wm. T. Sherman.

It is said that at this Maricopa stop Sherman evolved what later was credited to many sources. Standing on the platform of a railway coach, he snorted as he looked over the plain and ejaculated: "What a hell of a country!" The remark was heard by Capt. W. A. Hancock of Phœnix, who mildly retorted: "Why, General, it is not such a bad country; we have to the north a rich agricultural valley and mines. Possibly Arizona is a little bit warm, but all she needs is more water and better immigration." Again Sherman snorted: "Huh! Less heat! More water! Better society! That's all hell needs." It is to be deplored that General Sherman died before he could see the agricultural valleys of Arizona, well watered and with a much better class of people settled within them, utilizing the heat for the growth of almost every imaginable product of the soil. The conference with the Indians led to nothing at all. Several thousand Indians had gathered, mainly Pimas, Maricopas, Papagos and Yumas, all peaceful tribes, and the principal query of their chiefs was, why the bad Apaches should be given rations while they had nothing. At Tucson the President was dined and at other points along the road entertainment was offered, though the route of the railroad was not departed from by the party. It is therefore doubtful whether President Hayes gained a much better idea of the country than that expressed by his military aid.

PRESIDENT McKINLEY SEES A MINE

There was a long interval before a chief executive of the nation again entered Arizona. May 7, 1900, President William McKinley entered Arizona on the Southern Pacific from the East, making the journey at night through to the Congress mine, seventy miles northwest of Phœnix, where Gov. N. O. Murphy had provided unique entertainment in a view of the operation of the deepest gold mine of the Southwest. The President did not go to the bottom of the 3,000-foot shaft, though the greater number of the members of his party were dropped into the bowels of the earth in decorated ore cars. But the President walked through the upper workings and through the mill, and in the cyanide works witnessed the pouring of a bar of gold bullion weighing 1,231 ounces. Mrs. McKinley was presented with a small gold bar as a souvenir of the visit and each lady in the party received a small gold nugget.

The return to Phœnix, May 8, was delayed until nearly 2 p. m. owing to an accident to the motive power. At the capital city had been gathered thousands of people from all over the territory, who were given only about a three-hour view of the chief executive. In that time, however, Major McKinley, with his characteristic kindness of heart, submitted to being rushed through a programme that involved a formal luncheon, a parade, a visit to the capitol and a trip out to the Phœnix Indian School, where a thousand tired little redskins unintentionally thumbed their noses as they extended to the President the honor of a military salute. The presidential train left at 5 o'clock and Yuma got only an evening glimpse of his passage.

During the greater part of his stay in Arizona, while his special train was speeding along the Southern Pacific lines, the safety of the President lay in the hands of a woman, Mrs. Nona Pease, a dispatcher in the general superintendent's office at Tucson, who handled the train all the way from Tucson to Yuma.

ROOSEVELT MADE FOUR VISITS

Colonel Roosevelt has made four trips into Arizona. On the first he was on a westward leg of a journey to the coast and found time only for a visit to the Grand Cañon, May 6, 1903. There he was met by about 800 Arizonans, including a number of Rough Riders, led by Gov. A. O. Brodie, who had been the regiment's lieutenant-colonel. Colonel Roosevelt, in an address on the steps of the old Grand Cañon Hotel, asked for the preservation of the Cañon with its wild beauty unmarred by any of the coarser works of man. He said, "I hope you will not have a building of any kind, not a summer cottage or hotel or anything else to mar the wonder of its grandeur and its sublimity, the great loveliness and beauty of the Cañon. Leave it as it is; you cannot improve on it; not a bit. The ages have been at work on it and man can only mar it. What you can do is to keep it for your children and for all who come after you as one of the great sights which every American, if he can travel at all, should see." The President was given a beautiful Bayete Navajo blanket by the people of Flagstaff. He presented diplomas to the graduating class of the Flagstaff High School and in return received from the class a buckskin Navajo boot, handsomely marked and adorned with a silver buckle. With the boot

ROOSEVELT SPEAKING FROM THE STEPS OF PHOENIX CITY HALL
This building served for a time as the Territorial Capitol

was a bit of verse written by Harrison Conrard, county superintendent of schools, which read in part:

> Drawn from the deer that track our wild,
> Tanned by the skill of a brown-hued child;
> Shaped by the magic of his best hand—
> Accept this tribute from us, who bring
> Our loyal love with its offering.

A number of Civil War veterans at Bisbee, knowing Roosevelt's inclination toward the wild, had thoughtfully presented the President with a large and rather smelly black bear, but this was sidetracked at Phœnix and shipped to the zoological gardens at Washington.

The second visit made by Colonel Roosevelt was a far more important one, for he came, March 18, 1911, to dedicate to the cause of agricultural advancement the great dam and water storage reservoir, to which had been given his name. Colonel Roosevelt on this trip again visited the Grand Cañon. He and Mrs. Roosevelt spent a day with their son, Archie, who was a pupil in a private school at Mesa, but the rest of the time the Colonel had activity assuredly of a strenuous sort. The trip from Phœnix to Roosevelt was made by automobile and absolutely without accident to any of the twenty-four cars that constituted what was termed the official party. Several hundred automobiles made the trip, but the traffic was handled by the Reclamation Service officials in a marvelously efficient way and there were few accidents.

The return to Mesa was made the next day, which happened to be Sunday, and Monday was almost wholly devoted to Phœnix, including a speech on the plaza, an address to children and another in connection with the dedication of Bishop Atwood's St. Luke's Home for consumptives. At the plaza meeting he had assured the people of their right to try out any method of government they saw fit to choose and even to insist upon the recall of judges, something to which Taft had expressed bitter opposition. He was the guest at an elaborate luncheon tendered him by about twoscore of the Arizona members of his regiment. Departure was over the Santa Fé for Los Angeles at 4:20 p. m. Colonel Roosevelt made a rapid trip through Arizona in September, 1912, while campaigning as the progressive candidate for the Presidency, speaking at Phœnix. The fourth trip was for pleasure, in August, 1913, into the wilds north of the Grand Cañon. The Colorado was crossed by cable at the foot of Bright Angel Trail. After a season of bear and lion hunting, return was by way of Lee's Ferry, in time to see the Hopi snake dance.

PRESIDENT TAFT AND THE GRAND CANON

In 1909, by the use of considerable influence and no small amount of diplomacy, President Taft was induced to alter his itinerary and to include Arizona's capital within his hurried trip across the territory. The presidential train, coming from the West, reached Phœnix on the morning of October 13. It was met at Yuma by Governor Sloan and an official party and was escorted by the governor and a somewhat changed committee northward to the Grand Cañon. The presidential train was stopped back of the capitol building and its occupants were driven to the capitol, where there was a brief reception. Then the Presi-

dent was taken to the plaza, where he addressed a tremendous crowd. The address particularly covered the subject of approaching statehood and a blunt warning was given that any constitution containing freak measures such as had been adopted in Oklahoma could hardly expect approval at his hands. There was to have been an address to the school children, but Major Archie Butt thought he saw danger somewhere in the crowd and the party went on to the Indian School and thence to Alhambra, where the train was regained. The two-score of Arizona politicians and business men who had come along to do the President honor saw little of him, however, on this northern trip, wherein the President showed a preference for bridge rather than for political conversation. There was a brief stop at Prescott, that the President might address a gathering at the courthouse, and then the Grand Cañon was reached.

The President had his first view of the cañon about 9 in the morning. Solidly braced upon his puttee-incased legs, the President looked for a few moments until he found the proper word. It was, "Stupendous!" Roosevelt had said, "Awful." There was another pause till someone in the rear remarked something about the contact of the two greatest of their kind and the ice was broken. There was a picnic luncheon at Grand View to the eastward and a sunset trip to the westward, in all giving thirty-five miles of riding to bring appetite for an elaborate banquet, tendered the President and his party that evening by Governor Sloan. At the supper, following some pleasant remarks by the specially honored guest, Postmaster-General Hitchcock made a keynote speech that rather bound upon the President fullest support of statehood. The wishes of Arizona were presented at the banquet board by Chief Justice Kent, Frank M. Murphy and former Congressman Marcus A. Smith, the last named expressing a hope that the constitution of the state that was about to be should follow close upon the plans of the Constitution of the United Sates, which he declared "a God-given document." The President went eastward that evening, Governor Sloan continuing with him to Albuquerque. Much pleasant publicity had been expected in Arizona by reason of the presidential visit. In reality, about all that was printed in the eastern papers served to continue the impression that the territory was a land of Indians, dust and desolation.

EXPOSITIONS THAT ARIZONA HAS HONORED

Probably the first exposition in which Arizona had representation was that of Vienna in 1873. A resident of Prescott, Chas. A. Luke, wanted to go back to Europe with something of an official stamp of credit, so an act was passed by the Seventh Legislature giving the governor authority to appoint a commissioner to the Vienna Exposition, such commissioner to act without compensation for his services and to have no authority to impose any liability on the territory by virtue of his appointment. Despite the restrictions of the act, later legislatures had before them a bill for the commissioner's expenses and, finally, in Zulick's administration, there was an appropriation of $2,400 to satisfy the insistent claim. The exhibit mainly comprised ore specimens contributed from Northern Arizona mines.

Gov. Safford recommended participation in the Centennial Exposition at Philadelphia in 1876, but little was done beyond private showing of special products. At $2,200 expense to the volunteer commissioner, Supt. John A.

Church of the Tombstone Mining & Milling Co., an exhibit of mineral products was made in August, 1882.

In 1883, at Denver, was a large exhibit of Arizona minerals, under charge of Frank M. Murphy and Douglas Gray, who later took the exhibit to Chicago. All the incidental expense was borne by the commissioners or by mining companies. Under the same commissioners, the exhibit was again moved, in December, 1884, to the World's Fair at New Orleans, where it was said to have been approached only by the showing made by the Republic of Mexico.

Bonds to the amount of $30,000 were issued for an exhibit at the World's Columbian Exposition in Chicago in 1893, where Wm. O. O'Neill headed a commission that took the first general display of Arizona products. At St. Louis in 1904 also was an exhibit, largely agricultural in character.

At the first San Francisco Exposition, the Midwinter, Arizona secured first premium on an exhibit of oranges from the Salt River Valley.

The state authorized no official participation in 1915 in either the San Francisco or San Diego exhibitions. A bill appropriating $100,000 for exhibits at both fairs was killed in the State Legislature, largely because of labor union opposition to San Diego.

Exhibits have gone from Arizona to irrigation congresses and to the Irrigation Exposition at Chicago, but probably no prizes won in such surroundings ever gave such solid satisfaction as when, in 1914, at the Dry Farm Congress at Wichita, Arizona's exhibit received first prize among the states, an immense gold loving cup, donated by the Chicago Chamber of Commerce.

ARIZONA STATE FAIR AND LOCAL FAIRS

Early in the '80s a fair ground was established south of Phœnix, near the river, and in addition to horse racing, generally of the quarter-dash variety, there was a display of agricultural and home products.

May 14, 1884, in Phœnix was organized the Arizona Industrial Exposition Association, which held its first fair on the grounds south of the city, opening November 10. The gross receipts of the week were $1,706.

The present Arizona State Fair has a history reaching back only to 1905, when the Arizona Legislature, at the suggestion of a number of residents of Phœnix, passed an act establishing a fair, providing for three commissioners and appropriating $7,500 for premiums and maintenance and $15,000 for permanent improvements, to be effective on provision by some Arizona locality of suitable grounds. These grounds promptly were provided by an association of Phœnix business men, who contributed $25,000 for the purpose at a banquet provided by J. C. Adams, who, thereafter, served for a number of years as president of the association. The first fair opened December 25 of the same year. In 1910 the state purchased of the association, for $30,000, the fair grounds and improvements northwest of the city, the price being about one-half the real worth of the property. The present value of the grounds and improvements have been appraised by a late fair commission at $175,000, though their total cost to the state has been less than $100,000. The site proved to have been happily chosen, inasmuch as there may be indefinite extension of the grounds westward upon a tract of 640 acres now owned by the state. The racing track is one of the fastest in the United States, now holding the winter records for trotting and pacing. In

connection with the fair, annually for seven years was held a Los Angeles-to-Phœnix automobile road race, started by the offer of a silver cup by the Arizona Republican. The races have been run under the supervision of George P. Bullard, a Phœnix attorney. The annual struggle became widely celebrated as a "Desert Classic," embracing, as it did, almost every condition of good and bad road, from the boulevards of the coast to the shifting sands of the desert. Also there have been automobile races from San Diego, El Paso and from a number of Arizona cities.

The Northern Arizona Fair was established in Prescott as a permanent institution in the fall of 1913. About the same time was organized the Southern Arizona Fair Association, which has provided an extensive racing and exhibit plant near Tucson. Of late, county and district fairs have been popular in many localities. Especial mention should be made of the annual agricultural fair held by the Pima Indians at Sacaton.

FIESTAS, RELICS OF MEXICAN DAYS

In Southern Arizona a relic of the Mexican occupation was found in the annual fiestas, which continued for years, especially in Tucson and Phœnix. The greatest fiesta of the Southwest was held in Magdalena, Sonora. Another was in Nogales, Sonora. In Phœnix, starting on June 24, the saint's day, and terminating on the Fourth of July, was the Fiesta de San Juan. But the greatest in Arizona was at Tucson, the Fiesta de San Agustin. The basis of a fiesta was a religious feast, but in effect it was nothing more than a time of merrymaking, of joyous dissipation after frontier standards. At Tucson or Phœnix about two acres would be needed for fiesta grounds. Within would be from two to four temporary barrooms, a couple of places to eat, with Mexican dishes prominent on the bill of fare, and then about a score of gambling games of every sort. While faro, as usual, held the place of honor, at fiestas always especial stress was upon roulette, chusas and monte, while the manager of "tin horn" devices called loudly for patronage from the passerby. A most inspiring sight would be that of some Arizonan, possibly high in official circles, intoxicated to the point of preternatural solemnity, escorted from gambling game to gambling game and from bar to bar by a Mexican "raw-hide" band, usually composed of a fiddle, a guitar, a cornet and two drums, large and small, made out of sections of barrels. Ordinarily the stationary gambling games of the towns were considered "square," for they had reputations to sustain and their managers were men among men in their own communities, content to take the ordinary favorable percentage that belonged to their side of the table. It might be noted, incidentally, that the discovery of crooked dealing might have been disastrous to the dealer. But at fiestas all the restrictions were down. Strange gamblers were in attendance, going from one fair to another, and there rather was expectation that crooked dice were used more often than not.

Acting Governor N. O. Murphy in 1889 recommended abolition of fiestas, calling them "aggravated nuisances, outrageous and disgraceful" and at the same time made strong expression against legalized gambling. Fiestas were forbidden by legislative decree in the session of 1891 and the strongest supporter of their suppression was Fred G. Hughes, president of the Council, and himself a professional faro dealer. The gamblers claimed that the fiestas brought too many com-

MAIN STREET, PHOENIX, 1872

PRINCIPAL HOTEL (GARDINER'S) PHOENIX, IN 1872

Photo by Gentilly who had Carlos Montezuma as servant

petitors in their profession and the measure was passed in the way of protection to home industry. Then for a few years Phœnix and several other towns had annual carnivals, whereat for several evenings of the week women as well as men were freely admitted to the gambling. The traveling carnival of freaks and side shows later attached to these local holidays, which in turn went out of fashion.

AN ISLE OF ILL FATE TO ARIZONANS

While Tiburon (Shark) Island, in the Gulf of California, off the Sonora coast, has no direct connection with Arizona, nevertheless it has had to do with the fate of several Arizonans. The island, a most unattractive one, desert and poor and peopled only by hungry Seris Indians, ever has had a mysterious quality that has served to attract adventurers. The Indians reach the mainland across a narrow strait at extreme low water, though even then the passage is dangerous, owing to swift tidal currents. In the fall of 1894 a Phœnix newspaper man, R. E. L. Robinson, fell under the lure of the island's enchantment, though he had never seen it. He was a romantic writer, but cared very little for any basis of fact. When he left, he told the Associated Press man in Phœnix that he intended to disappear for about six months and to come forth thereafter with some wonderful stories of the Indians, with whom he proposed to make his residence. In the meantime, as he had no relatives for whom he cared, he wanted to be known as dead for that space of time and stated that word soon would come that he had been killed by Indians. Robinson had found a man at Yuma, who provided a sloop and his companionship, and the two sailed away. In the course of a few weeks, as predicted, news came from Guaymas that Robinson was dead. The Phœnix newspaper men wisely nodded their heads and laughed, but, as later advices showed, Robinson really was dead. He had landed on Tiburon Island and had started into the interior, his companion staying behind on the beach to guard the boat. Very soon a shot was heard and Robinson came in sight, running, only to be overtaken and struck down by Indian pursuers. The boatman promptly put out to sea and made the best possible speed down to Guaymas.

In the fall of 1905 was the next Arizona attempt upon the mysteries and supposed riches of Tiburon. It was led by Thos. F. Grindell, who had been principal of schools at Nogales, teacher in the Normal School at Tempe, sergeant in the Rough Riders and clerk of the Supreme Court of Arizona. He left Douglas in company with J. E. Hoffman and two others, Rawlins and Ingraham. From Hermosillo was followed a Papago guide, who turned back a day's journey from the coast. The men were delayed in reaching the coast through the fact that the only water taken was in five-gallon oil cans, carried by slow-moving burros. They were already in straits for water when they arrived on the coast opposite the island and found themselves unable to cross the narrows. Trying to find a ranch of which Indians had told them, Rawlins pushed on ahead and was followed by Grindell. Ingraham wandered away, delirious from thirst. Hoffman, who later found, dead of thirst, one of the burros that Rawlins had taken, was the only survivor. With the aid of a teapot, he improvised a little still, in which he boiled sea water. Thus, keeping near the coast, he managed to provide enough water, finding sustenance mainly in shell fish, till picked up by Mexican fishing boats some distance north of Guaymas.

With very much less of melodrama, and with more of the features of comic opera, was a Tiburon Island expedition organized a few years ago by "Arizona Charlie" Meadows of Yuma, who proposed to conquer the golden island by the aid of both a fleet and a military force. This expedition died while still in the prospective stage, for the Mexican Government had doubts about permitting an alien force to make war upon Mexican Indians.

ARIZONA'S ONLY FEMALE SAINT

About fifteen years ago, the upper Gila Valley for several seasons was the abode of the only female saint ever popularly credited to the Southwest. She was Maria Teresa Urea, generally rated as the presiding priestess and practical ruler of the great Yaqui tribe and as such exiled from Mexico by order of the government. In fact she was a gentle, shrinking, modest maid about 24 years of age, of ordinary Mexican parentage, whose longest journey was that on horseback from Mexico. She avoided towns and in no wise sought to attract attention. Yet to her parents' adobe home flocked a multitude of Mexicans who called her Santa Teresa. A touch of her hand was believed a cure for every mortal evil and a prayer of intercession by her equivalent to a passport into paradise. She had serene confidence in her own divinely-given powers and never refused audience to the afflicted of whatever race. Under her hands, it is claimed, the blind saw and the lame threw away their crutches. She said she held her power through the favor of the Mother of Jesus and told of visions of seraphic forms. The girl uniformly refused compensation for the exercise of her seemingly supernatural powers, but it is told that her father incidentally acquired a considerable degree of wealth.

Santa Teresa left Clifton with her parents in August, 1900, for Los Angeles, Cal. She had been married a few days before to José Rodriguez, from whom she had been separated immediately after the wedding by an indignant Mexican mob, which considered the wedding of a saint little short of sacrilege. The husband was detained by the authorities on a charge of insanity, while the bride went on to a lone honeymoon with her parents.

THE CLIFTON FOUNDLING CASE

Humanity served as the strongest argument sustaining a decision of the Supreme Court of Arizona on January 21, 1905, denying a petition for restitution of seventeen children to the New York Foundling Asylum. The case was one of deep pathos. In the previous October, forty children were sent by the asylum to Clifton and Morenci, there to enter, on the representation of a temporary parish priest, good Spanish families that were willing to adopt them. The sisters of the Catholic order who accompanied the children found that nearly all the claimants were Mexicans of the lowest order and almost immediately appreciated the error of the proceeding. In the meantime an organization of American residents had formed and, though told that the assignment of the children was only temporary, seized about half of them and parcelled them out among themselves, the sisters regaining custody of the balance. The case was taken directly to the Supreme Court, before which evidence was presented. Representatives of the asylum claimed they had never surrendered custody of the children. The defendants, embracing a number of the best people of Clifton, introduced

NEW YORK FOUNDLING ASYLUM BABIES BROUGHT BEFORE THE ARIZONA SUPREME COURT, 1905

evidence showing that a number of the women who received children were of the lowest order, that others had drunken husbands and that all were bitterly poor. Some of the children, it was alleged, were put into houses where as many as seven people occupied a single room. Many of the clean and pretty children after a day's retention were filthy and destitute of proper clothing. In rebuttal it was shown that the children were seized while the sisters were absent in Morenci investigating the homes to which the children had been taken and that wherever the conditions were found improper the children had been taken away. The judgment of the court that the best interests of the children affected demanded that they be left where they were, in the homes of well-to-do Americans, well qualified to assume their care and to rear them. In December, 1906, the Supreme Court of the United States sustained the Supreme Court of Arizona and the Legislature of Arizona at a succeeding session specifically sanctioned the adoption of the children affected.

ARIZONA CENSUS FIGURES

The first census ever made of Arizona was in 1860, really only of the settlements within the Gadsden purchase, with possibly an estimate of the population of the white people along the Colorado River. It is not unlikely that within the estimate were included New Mexican settlements along the same southern line eastward as far as the Rio Grande, for the total secured was 2,421. It is probable that most of these were Mexicans. Until the advent of the California Column, Arizona, within its present boundaries, had even less than 600 inhabitants of Caucasian stock. Governor Goodwin, after assumption of office, had a census made that found 5,526 inhabitants, exclusive of Indians. This grew to 7,200 in 1867.

The population of Arizona in 1870, as given as found by the first official census, was 9,688, hardly equal to that of a sizable eastern town. The entire report is so short that it can be copied here in extenso:

Mohave County: Hardyville, population, 20; Mohave City, 159.

Pima County: Adamsville, 400; Apache Pass, 400; Calabasas, 62; Casa Blanca, 52; Cerro Colorado, 58; Crittenden Camp, 215; Florence, 218; Goodwin Camp, 200; Grant Camp, 340; Maricopa Wells, 68; Rillito, 32; Saguara, 71; San Pedro, 80; San Xavier, 118; Tubac, 178; Tucson, 3,224, of which 1,026 were rated as native and 2,198 as foreign.

Yavapai County: Big Bug and Lynx Creek, 96; Tollgate and Walnut Grove, 107; Chino and Lower Granite creeks, 80; Date, Kirkland and Skull creeks, 90; Peeple's Valley, etc., 45; Prescott, 668; Rio Verde, 174; Salt River Valley (including Phœnix), 240; Vulture works, 155; Vulture mine, 133; Walnut Grove, 40; Wickenburg, 174; Williamson Valley, 160.

Yuma County: Yuma, 1,144; Ehrenberg, 233; La Paz, 254.

In 1872 the county assessors reported the population of the territory as follows: Pima County, 3,652; Yavapai, 3,539; Yuma, 1,643; Maricopa, 1,156; Mohave, 753; making a total of 10,743. In 1875 there was another enumeration which seems to have shown either a tremendous influx or else carelessness in the previous count, for it totalled 30,114, divided in this wise: Yavapai, 13,661; Pima, 8,117; Maricopa, 3,702; Yuma, 2,212; Pinal, 1,602; Mohave 822.

The 1880 census showed: Apache, 5,283; Maricopa, 5.689; Mohave, 1,190; Pima, 17,006; Pinal, 3,004; Yavapai, 5,013; Yuma, 3,215; total, 40,440.

In 1890 the figures were: Apache, 4,281; Maricopa, 10,986; Mohave, 1,144;

Pima, 12,673; Pinal, 4,251; Yavapai, 8,6
2,021; Graham, 5,670; total, 59,620

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PRINCIPAL STREET OF DOUGLAS

1895	27,518,322	1906	62,227,633
1896	28,047,176	1907	77,372,156
1897	30,613,702	1908	80,637,741
1898	31,473,540	1909	82,684,062
1899	32,509,520	1910	86,126,226
1900	33,782,485	1911	98,032,708
1901	38,853,831	1912	140,338,191
1902	39,083,177	1913	375,862,414
1903	43,088,040	1914	407,267,393
1904	44,967,434	1915	420,532,411
1905	**57,920,372**		

LEGAL HOLIDAYS

Arizona has eleven legal holidays during the year: New Year's Day, Admission Day (February 14), Washington's birthday (February 22), Decoration Day (May 30), Independence Day (July 4), Columbus Day (October 12), Thanksgiving Day (when appointed), Christmas Day (December 25), general election day, primary election day and Labor Day. Two Arbor Days are proclaimed annually, respectively for Northern and Southern Arizona.

JEROME AFTER THE BIG FIRE

CHAPTER XLVI

IN THE NORTH AND WEST

Northwestern Arizona—Development Along the Little Colorado—Effect of Railroad Construction—Flagstaff's Observatory—Yuma and the River Towns—Yavapai's Growth—Conflagrations at Prescott and Jerome—The Dam Break at Walnut Grove.

The history of Northwestern Arizona almost entirely is the history of the mines of the locality and this record will be found in another chapter. There also has been made separate mention of Wm. H. Hardy, the pioneer of the northern Colorado Valley. Hardy was a great man in his day and is said to have come with a cash capital of $85,000. He had an idea that his Village of Hardyville not only was destined to be the center of a great mining field, but that, being at the head of navigation, from it would be transshipped the freight of Northern Arizona and of Southern Utah and Nevada. He fought the Indians steadfastly and there has remained a story that once he got out of a narrow hole at Wallapai Springs by feeding the redskins strychnined sugar. He built the road across Union Pass on a Government contract and thereafter got only half of his claim of $185,000. The county seat of government came to Kingman in 1887, after stays at Cerbat and Mineral Park. Kingman, named after Lewis Kingman, one of the Atlantic and Pacific Railroad engineers, was established in 1881, well before the arrival of the rails. From mineral developments of the past few years it has become one of the most prosperous of Arizona towns, its industries helped by the building of a branch railroad to Chloride and by the establishment of a great power plant that furnishes electricity to the county's principal mining camps, as well as to the county seat itself.

SETTLEMENT ALONG THE LITTLE COLORADO

The upper Little Colorado had some settlement from Mexico early in the seventies, and in 1872 John Walker, a mail carrier, had built a cabin on the river five miles below St. Johns. Soon thereafter came on the scene Sol Barth, who for some years before had been packing salt from the Zuni salt lake and who knew the country well. He tells the story himself that he sat down to a little game of cards with some Mexican sheep men at El Badito (Vadito—little crossing), a very small settlement on the Little Colorado, and by superior knowledge of the game or by luck, managed to win several thousand head of sheep and a few thousand dollars. Then it was that Barth gave up the life of the road and settled down. A little later he established St. Johns. The name he gave himself, always being careful to explain, however, that it was simply

in compliment to the first female resident, Señora Maria San Juan de Padilla. November 16, 1879, he sold his farm of 1,200 acres to Ammon M. Tenny, for 770 cows furnished by the Mormon Church and considered worth $17,000. The following year a number of Mormons, under Jesse N. Smith and D. K. Udall, began the task of making St. Johns a real town.

The Mormons, who had failed on the same river further northward, saw possibilities in the mountain valleys of Eastern Arizona. The Stinson ranch on Silver Creek was purchased in July, 1878, by W. J. Flake for $11,000, mainly in cattle. Very logically, owing to the presence of another Mormon leader named Snow, the settlement was named Snowflake.

The first settler at the present Springerville was William Milligan, who established himself among the Mexicans at Valle Redondo (round valley) a little before Barth's settlement in the district. Springerville was named for an Albuquerque merchant, who never had residence in Arizona.

The Mormons with their usual industry have made both the Little Colorado and Silver Creek sections most productive, and now have within the two districts in Apache and Navajo counties not less than a score of settlements. They have prospered despite a number of most discouraging circumstances. Much of their land had to be bought twice, the second time when the railroad claimed its land grant. There were days when their homes had to be defended against outlaws, though Indian troubles rarely reached them. In the spring of 1915 floods washed out the Lyman dam a few miles south of St. Johns, built to supply that section with irrigation water on a higher line than the old ditches. Several lives were lost and there was property damage approximating $200,000. The dam was of earth and had poor foundation.

Charlie Banta tells that he was the postmaster at El Badito, appointed in February, 1876, happening to have come over about that time from Camp Goodwin when Postmaster William McWilliams suddenly died. Banta opened a mail line from Tucson to Fort Goodwin and thence to Fort Apache and St. Johns, and claims also that it was he who named Springerville, though the settlement at that time was on the opposite side of the river from its present location.

DEVELOPMENT THAT CAME WITH THE RAILROAD

Whatever settlement there was in Northeastern Arizona along the thirty-fifth parallel before the coming of the Atlantic and Pacific Railroad was confined to a few stations on the Beale Road, over which ran an intermittent sort of mail service, sometimes by mounted couriers and sometimes by buckboard stages that went through without stop other than for change of horses at such points as Chaves Pass, Horsehead Crossing and Sunset Pass. Carriers occasionally were killed by the Navajos or Apaches and the early-day snow storms caused long lapses in the mail deliveries. Weather conditions stopped through mail service for months before the building of the railroad west of Wingate. Jas. D. Houck in October, 1874, took up the mail contract between Fort Wingate and Prescott, when service seemed impossible on account of the Indians, and succeeded where others had failed.

The Navajos were nasty along the railroad during the construction period. They killed one of the workmen, Gutierrez, on the grade near Navajo Springs. Before they had killed two drivers on the stage line near Horsehead Crossing

MOHAVE COUNTY COURTHOUSE, KINGMAN

CURTIS SAWMILL, NEAR PRESCOTT, 1876

AYER'S SAWMILL, FLAGSTAFF, 1882
Cutting ties for the Santa Fe Railroad

(Holbrook), and another at Sunset Crossing. There seems to have been no record made of fatalities along the Santa Fé during the construction period. At least twenty must have been killed in the broils that were common around the tent doggeries that kept pace with the advance of the grade or rails. One desperado killed a man "just to see him kick;" the names of the interested parties seem to have been an immaterial item at the time. Robbery was common. In several camps the citizens rebelled against conditions and drove out the roughs.

The Santa Fé Railroad's records show that Holbrook was named in October, 1882, after Richard Holbrook, one of the locating engineers of the Atlantic and Pacific line. There is also record that it was a place surpassed in wickedness only by Dodge City. One of its first residents, before its naming, was Harry H. Scorse, who had walked down from Utah and who there was stopped by fear of the Apaches or he would have kept on southward. He came in 1878 and the next year started a store that he still owns. In 1882 he had a branch store at the Rogers ranch, on the site of Williams. Holbrook today is a quiet village, with prosperity in its position as a forwarding and shipping point for a large district.

Winslow, also named after a railroad official, had early prosperity in the establishment of railroad shops, though agriculture later was added as a source of local income. The town was incorporated January 4, 1900, with E. A. Sawyer as mayor.

EARLY VISITORS TO FLAGSTAFF

The settlement of the lower valley of the Little Colorado, between Holbrook and Winslow, has been noted in the chapter covering the Mormon immigration. But in the same locality there was an earlier attempt, which seems to have been abandoned almost at once. The best record of this is found in Conklin's Picturesque America, published in 1878, in which is copied the following excerpt from some unspecified eastern publication:

> A band of 150 men arrived here yesterday and took the first train by the Pennsylvania Central road on their way to Arizona. At the base of the San Francisco Mountains they intend to establish a colony. Each man takes provisions for ninety days, and his personal outfit of tools and clothing to a total prescribed weight of 300 pounds, transportation for which and for himself to the end of the long journey is furnished by the Arizona Colonization Company—a Boston concern—at a cost of $140 per man. At the end of the railroad the colonists are to be joined by the company's engineer, Mr. G. B. Maynadier, who went ahead about a week ago to provide transportation from that point. Mr. Maynadier was the chief engineer of Henry Meiggs' Andes railroad in Peru and is said to be thoroughly acquainted with Arizona. The part of the country in which the proposed settlement is to be made is said to be very rich in the precious metals and at the same time very advantageous for agriculturists. A company is forming in San Francisco with a capital of $10,000,000 to work located mining claims on the west side of the mountain to which the colonists are going. Within about thirty days at least eighty more men, with the families of some of those who have already gone, will go from Boston to join the New England colony, whose organization was begun in August last by a company of which Judge O. W. Cozzens is president; J. M. Piper, secretary, and S. C. Hunt, treasurer.

The Cozzens mentioned may have been S. W. Cozzens, who was in Southern Arizona in the early sixties and who wrote "The Marvellous Country." Depar-

ture from the East was in the late spring of 1876. Just where any large body of rich agricultural lands could be found near the San Francisco Mountains is something not known today. The mountains, too, are of recent volcanic formation and are thought to be barren of valuable minerals. This was discovered by the colonists, who soon moved on to Prescott, where the expedition disbanded.

One permanent record of the trip has been left, however, in the naming of Flagstaff. How it happened is told in the following article, taken from the files of the Coconino Sun:

A few days before the Fourth of July, 1876, a party of settlers on their way from Boston, Mass., to Prescott, Ariz., were camped at T. F. McMillan's corral, near where the spring on what is now known as John Clark's ranch, just north of town, is located. The party decided to rest for a few days and concluded to celebrate the 100th birthday of our republic amid the pines of Arizona. A suitable pine tree was chosen and cut down, trimmed and smoothed by the carpenters of the party, among them J. A. Wilson, now of this place. The top of the staff was ornamented with a gilt ball. The flagstaff was raised on the morning of the Fourth of July, 1876, with the proper ceremony. A piece of money, a nickel, we believe, was deposited at the bottom of the hole, and the flagstaff was raised and the Stars and Stripes floated from the top during the stay of the party, which was some two weeks longer. Frank Hart and T. F. Millan, who were both in this section at the time, say that the flagstaff stood for several years and finally decayed off at the ground and fell down. But the location was known by all old settlers as "The Flagstaff," and with the advent of the railroad and the locating of a station here it was called Flagstaff.

POPULATING THE FORESTED AREA

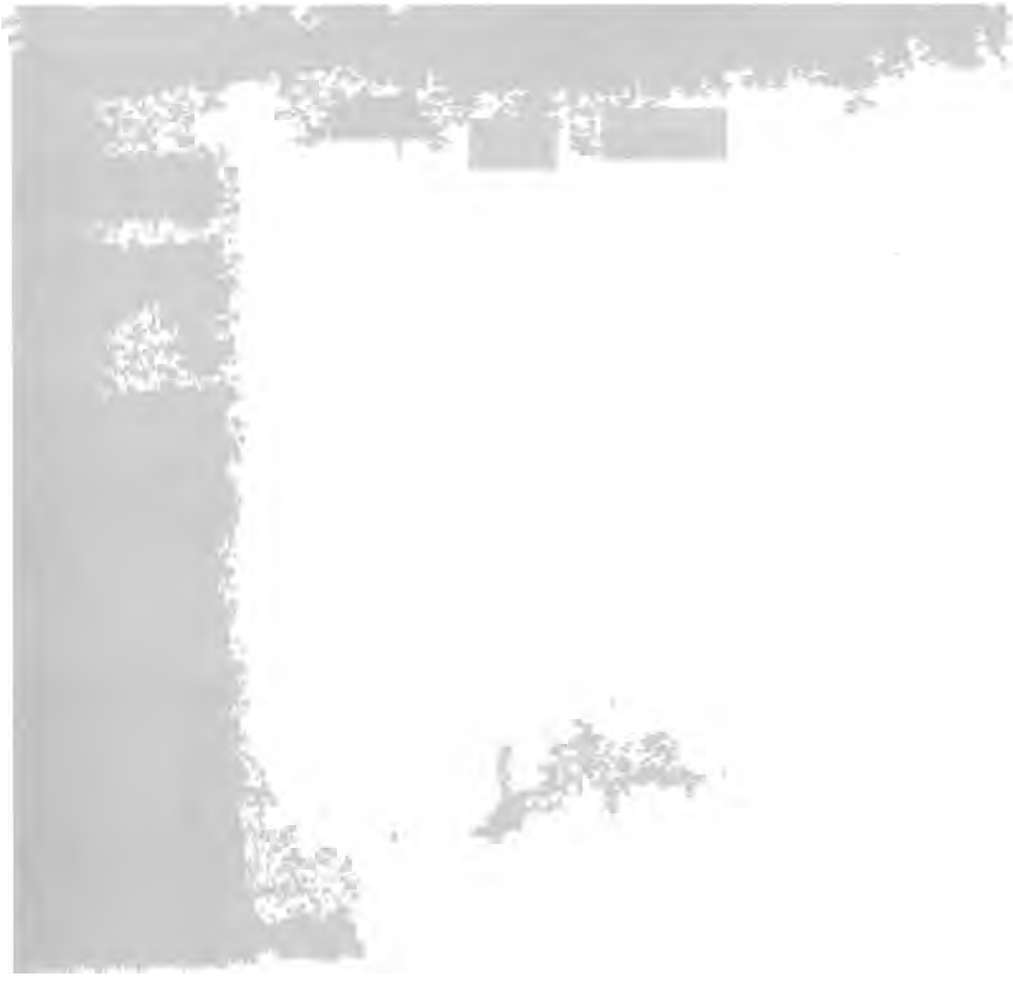
While the springs at the base of the San Francisco Mountains for years had been stopping places for survey parties, trappers and couriers, the first permanent settlement appears to have been made by T. F. McMillen, in the forest, very near the site of Flagstaff, early in 1876. By July, he had two neighbors, less than fifteen miles away, Frank Hart and James O'Neill. About a year later came John Clark, who settled in Clark's Valley and who shot a great bear right where Flagstaff now is. Clark tells how it took twelve bullets, from a new Henry rifle, to kill that bear, and how its heart was "shot to pieces." Bear, antelope and deer meat was the principal food. Flour was almost impossible to get.

In Fort Valley, seven miles north of Flagstaff, during the building of the railroad was established Fort Moroni, a log house sixty feet in length, headquarters for the Moroni Cattle Company. This company was controlled by John W. Young (son of Brigham Young), a contractor on railroad construction, who needed in his work both beef and hewn ties. The ranch later was sold to the A-1 Cattle Company.

Flagstaff really started with the coming of the railroad, then being inaugurated the great lumbering business that since has been her main business stay.

The Arizona Lumber and Timber Company's great sawmill at Flagstaff had its origin in a much smaller plant established on the same ground in the winter of 1882. The owner of the mill was Edward E. Ayer, whose first trip into the pines of Northern Arizona was by ambulance, when the Atlantic and Pacific Railroad had reached Winslow, further extension delayed by the slow and expensive construction on the Cañon Diablo bridge. Mr. Ayer, an expert timber man, made a contract with the railroad especially for the sawing of ties and bridge timber and soon had his mill in operation, the machinery freighted by

MAIN STREET OF FLAGSTAFF, UNDER OBSERVATORY HILL, IN APRIL, 1882
Ruins of first tent-houses in foreground



team from the end of the track. Every tie on the mountain section was turned out at this plant. In a letter from Mr. Ayer, he states:

> I owned those mills for several years and finally sold out on his own estimate of its value, taking his paper for the entire amount due in one, two and three years and without security, to one of the most honest men who ever drew breath in the State of Arizona or anywhere else—Mr. D. M. Riordan, an elder brother of the two men who now own the mills at Flagstaff.

Mr. Ayer also writes of a trip that he made in February, 1884, when the Hull boys had blazed a trail to the Grand Cañon and of another trip soon thereafter, during which he, his brother and his wife managed to reach the bottom of the cañon, taking three days and two nights to the trip, guided by Bill Hull and a companion who had found a way down from near the point where John Hance's cabin afterwards was built.

Ayer, now remembered in Arizona only by a few of the old-timers, was a soldier in the California Column in Company E, First California Infantry, and was in Tucson as early as April, 1862, thereafter serving in the guard at the Heintzelman mine, as a member of the escort of Colonel Ferguson into Sonora, as escort from the Rio Grande for the paymaster who brought "the first greenbacks any of us had seen," and as a member of General Carleton's escort at Santa Fé, where Corporal Ayer was promoted to be first lieutenant in the First New Mexico Infantry, February, 1863.

Other great mills have been added since, at Flagstaff and Williams, and the timbering industry, under strict governmental supervision no longer is wrecking the forests, but has settled into methods of properly using timber that is mature. Another material asset of Flagstaff is her situation amidst wonderful scenery, bringing thousands of visitors annually, many of them guided by Al Doyle, a pioneer who early devoted himself to public service. Flagstaff was much benefited by the construction, in the fall of 1914, of an immense concrete reservoir, built for the city by the Santa Fé Railroad Company, on the southern slope of the San Francisco Mountains, two miles north of the city, at a cost of $165,000. The water comes from an altitude of 11,000 feet and is brought fifteen miles by flume and pipe to the reservoir, from which heavy pressure is afforded for the service of the town and the railroad. An ample reserve is provided of 53,000,000 gallons.

A GREAT ASTRONOMICAL OBSERVATORY

Near the end of a mountain spur, just west of Flagstaff, is the Lowell Observatory, which for more than twenty years has had a high place in scientific estimation, particularly through specialization in the study of Mars. Early in 1894, Percival Lowell, a Boston capitalist with scientific leanings, became interested in the study of Mars as a planet whereon might be demonstrated the existence of life similar to that known upon the earth. He secured the assistance of Prof. W. H. Pickering, who suggested that Arizona had ideal atmospheric conditions. So to Arizona in March was dispatched A. E. Douglass, a young Cambridge astronomer, who had been with Professor Pickering on astronomical expeditions to Peru and Mexico. Mr. Douglass now is Doctor Douglass, dean of the faculty of the State University of Tucson. He came to Arizona equipped with a small

glass and after viewing a number of sites in the territory, selected Flagstaff, where observations were begun May 22, 1894.

An eighteen-inch telescope at first was used and with it important discoveries early were made, and the existence of the canals of Schiaperelli, discovered in 1877, not only were demonstrated, but their duplication was established. July 23, 1896, the value of the observatory was enlarged by the mounting of a twenty-four-inch refracting telescope, made by Alvin Clark & Sons of Cambridgeport, and since found to be one of the most effective glasses in use. The power of this telescope includes stars up to the fifteenth magnitude. The Lick thirty-six inch glass is only rated up to stars of the sixteenth magnitude and this slight advantage is more than balanced by the superior seeing qualities of the air at Flagstaff. Mr. Lowell is now in personal charge, and after years of investigation of Mars still keenly is searching that planet, confident of the presence upon it of intelligent life and strong in hopes that this theory may become an accepted fact in the scientific world.

WILLIAMS, GATEWAY TO THE CANON

Williams gets its name very naturally from its location at the base of Bill Williams Mountain. According to Fish, the first settlers of the locality were Sam Ball and John Denton, who came in the summer of 1876 and who sold their claim to C. P. Rogers. Other pioneers of the locality were John Vinton Rogers, Judge J. M. Sanford, John Clark and William Ashurst. C. E. Boyce and H. H. Scorse were pioneer business men about the time of the railroad's arrival, September 3, 1882. Williams not only is an important lumbering and stock raising center, but is the gateway to the Grand Cañon.

On Bright Angel Trail, in September, 1913, the Grand Cañon was the scene of a novel Masonic gathering, called to administer the three degrees of the Blue Lodge under primitive conditions. The first degree was given in a tent by the river, the second in a mine tunnel about half way up and the third in an enclosure on the end of a point overlooking the gorge. The greater part of the attendants were from Phœnix, headed by Worshipful Master A. A. Betts.

YUMA'S INTERESTING STORY

The early history of Southwestern Arizona has been given attention elsewhere in this work, mainly in connection with the pioneer mines and pioneer transportation. The history of the Town of Yuma itself is one of large romance, possibly in this respect even equaling Tucson, as she was set in the middle of a hostile Indian tribe and on the route of the main highway, over which came too large a proportion of the worst of mankind. The early history, which has partially been told, was one wherein bloodshed was common. In March, 1866, the little settlement felt called upon to form an organization, and on the record of its membership are found such names as F. Hinton, George Martin, A. H. Wilcox, H. N. Alexander, H. T. Stevens, A. D. Johnson, I. W. Jones, Gabriel Allen, O. I. Travis, and J. M. Barney, the last named president of the association, which was given the name of the Arizona Vigilance Committee. The records of the committee are all too meager, with notations of the pursuit and capture to various criminals, but nothing said concerning their disposition, except in the

FLAGSTAFF, LOOKING TOWARD OBSERVATORY HILL

LOWELL OBSERVATORY, FLAGSTAFF
This point was selected because of the clear atmosphere, and here Professor Percival Lowell has carried on his remarkable studies of the planet Mars

case of Joe Bowers, who was turned over to the sheriff of Los Angeles County, Cal.

In the writings of Herbert Brown is found a story concerning the killing, about 1868, of Jas. T. Danna, said to have been sheriff, by a desperate Yuma Indian known as Big Charlie. There was a remarkable duel in which Danna, known as a dead shot, killed the Indian, but himself was mortally wounded by a glass-tipped arrow from the bow of a cousin of Big Charlie. O. F. Townsend, a distinguished pioneer citizen, was acting as constable and participated in what appeared to have been a general melee between Danna's posse and the Indians, Big Charlie's father and mother both having been shot. But the former suddenly came to life as the posse was returning from its work and attacked one of its members with a knife. Townsend was quick to the rescue, however, and killed the Indian just as he was about to drive a long knife into the body of one of the white men. The Indian who killed Danna was arrested, but managed to escape into Mexico, where he led a renegade band. The record tells, "It was found necessary to kill him. The head men of the tribe were sent for, the case stated and his death demanded. All this was agreed to, and to prevent tribal animosities a brother of the condemned man was delegated to kill him. For this purpose a feast was given and as soon as the renegade became drunk his brains were beaten out with a club. The chief of the tribe was named Sebastian. He was a friend of Townsend and followed instructions to the end."

In 1870 the county seat of Yuma County was moved to Arizona City, now Yuma. O. F. Townsend was in charge of the transfer, which was done under the authority of an act of the Legislature. The steamer Nina Tilden, commanded by Captain Polhamus, took on board all county officials and records and transferred them down river. March 11, 1871, Arizona City was incorporated by an act of the Legislature and February 3, 1873, its name was changed to Yuma. The same year the town corporation was authorized to levy an annual special tax of 50 cents on each $100 of taxable property for the purpose of constructing a levee against the encroachments of the Gila and Colorado rivers.

Among the pioneer residents of Yuma, still active and an acknowledged historical authority of the county, is Miss Post, one of the town's first school teachers, with residence dating back to 1872. The only communication with the outside world was by ocean steamer that got to the mouth of the Colorado once a month. Mail was brought in from San Diego every two days by mud wagon, a light form of stage, that made about 100 miles a day. The American population, in which was included all who were not Mexican, in 1872 embraced just five persons who in 1914 still were living in the locality. In 1875 Miss Post participated, possibly was the leading spirit, in the first Christmas tree of Yuma. Not only did each of the children receive an appreciated gift at the tree, but the teacher, equipped with dress patterns, went from house to house showing mothers how to cut proper dresses for their girls, and even providing the material where found necessary. Thus it happened that at the Christmas entertainment every Mexican child came forth happy and proud in new attire.

In the log book of the old steamer Cocopah, under date of December 25, 1879, is made record of what was probably the coldest day ever known in the Southwest. Despite the record of Yuma for torridity, it was recorded "it blew a northwest gale and was very cold. It froze all day in the shade. The night

of December 24 was the coldest ever seen on the Colorado River. The morning of the 25th the river was full of ice, which ran until 12 o'clock."

Floods were a serious menace to the settlement. There was a flood in September, 1868. In 1872 the levee on the Gila side was broken. In 1884 the Colorado bridge was damaged and a part of the town was under water. The worst flood of all was in February, 1891. There were two distinct freshets from the Gila, four days apart, the first arriving on the 22d. At hand is a local account of the catastrophe, clipped from the Yuma Times, which had issued a half sheet from the Sentinel office:

> The sun of Friday morning disclosed a scene of destruction such as is seldom accorded to human eyes. A fringe of houses along the railroad track was all there was of Yuma. But fifty buildings remained out of 350. A single street only was left—along the railroad from the bridge to the round house. Many people have been compelled to move a second time. The large buildings of the quartermaster's department west of town were threatened by the rise in the Colorado and the refugees in them from the first flood moved to the hills. Household goods were scattered in the cemeteries and the living took refuge among the inhabitants of the dead. On the high ground everywhere was piled all sorts of household goods, furniture and merchandise. Many people slept on the ground, while others had improvised tents, surrounded by what they had been able to save. In one place a carpenter was making a coffin for a young girl who died near the convent half an hour before the flood. On the farther side of the sea which rolled over the town stood a solitary house—the one on the mound near Horner's shop. Its occupants were two invalid young men and supplies were sent to them in a boat. Dorrington's cottages on First Street were the only buildings in that direction left standing entire.

In the political history of the territory reference has been made to the controversy with California over the possession of the land on which much of the business section of Yuma has location, included within an extension of the southern line of California drawn to the junction of the Gila and Colorado. In 1871, Assessor Mark Schaeffer of San Diego County was arrested for trying to assess property on the southern side of the Colorado River, but was turned loose on the California authorities subscribing to an agreement that they would never more attempt to collect any taxes in Arizona. According to John Dorrington, "a suit was immediately instituted against San Diego County to collect $40,000 back taxes, which claim was gladly and willingly compromised by that county." It would appear that internal revenue taxes theretofore had been paid by Arizona City business men to the California collector. The whole controversy was settled July 28, 1873, in favor of Arizona by a decision of the commissioner of public lands.

The Gandolfo building and store of E. F. Sanguinetti burned about September 1, 1899, with loss of $110,000. During the course of the fire the front of the upper story fell. Beneath it were a half dozen young men, whose bodies were crushed and burned. Their names were: Harry F. Neahr, Richard Wilson, Julian Presciado, Refugio Rivera, Rudolfo Wilson and James Tapia.

The village council was reorganized early in 1901 with a novel plan for the payment of debts and of salary claims. About one thousand town lots remained at the disposal of the council and these lots for the time were used instead of money for the administration of village affairs. As an example, the village recorder was given two city lots a year and each councilman was to have one city lot for each two-year term

YUMA COUNTY COURTHOUSE, YUMA

PUBLIC SCHOOL, YUMA

Yuma, late in 1904, experienced a bank failure, the Bank of Yuma being closed with only $400 cash on hand and with a deficit of $41,000. The failure appeared to be due wholly to bad management.

Wagon and automobile transportation across the Colorado at Yuma, until recently, has been by ferry, as the railroad in building its bridge in 1878 did not provide for the passage of wagons. This traffic necessity was not filled until the summer of 1915, when the United States Government and the States of California and Arizona jointly erected a wagon bridge over the narrow channel between the Fort Yuma and Penitentiary hills.

One of the earliest settlers around Yuma was José N. Redondo, whose descendants still are included within the list of local prominent citizens. He established himself in 1862 in a ranch on the Colorado and about that time dug a canal from the river to irrigate a large tract lying at the junction of the Colorado and Gila rivers. In 1871 he started a canal that cost $25,000 before any return was secured from its use.

EHRENBERG, LA PAZ AND PARKER

Northward from Yuma, along the Colorado, a stream on which steamboats have not plied since the building of the Laguna dam, can be found a wealth of interest in the ruins of old mining settlements. There was placer mining along the Colorado only a few miles above the Gila's mouth and copper and gold were dug at many points A few of the old mines, such as the Planet, are still worked, and one of the old placer beds back of La Paz now is having a new lease of life and is to be made profitable by the use of modern machinery.

Ehrenberg still has existence as a crossing point and ferry for automobile travel and is a supply point for mines, but its older neighbor, La Paz, is only a heap of ruins strewn down what was once the business street, where possibly 5,000 people once lived and where was handled, within only a few years, several millions of dollars washed from the nearby gulches. La Paz once was the county seat of Yuma County, but its steamboat landing was poor and so in 1869-70 much of the business went to the new Town of Ehrenberg, three miles up stream, which was favored by deep-water frontage. About fifteen years ago Ehrenberg came into the public eye in an odd manner, when Postoffice Inspector George R. Waterbury visited the village to see why no quarterly reports had been turned in for several years. He found Postmaster Daniel too busily mining to attend to the postoffice, wherein was found mail as old even as four years, some of it having originated in the office, but most of it received from other points. The postmaster had even failed to open letters from the Postoffice Department and in the undelivered mail was the commission of his successor. In view of the circumstances, most interesting was an unopened letter, personally signed, written by John Wanamaker on his departure from the office of postmaster-general, in appreciation of "the high class of service that had been rendered by the postmaster at Ehrenberg and thanking him for the support he had given the administration and the Postoffice Department."

The first stake of the new Town of Parker, in northern Yuma County, was driven June 6, 1906, by James Haddock of Los Angeles, Otis E. Young of Wickenburg and C. W. McKee of Phœnix. Parker had and has large hopes for the future, all contingent upon the irrigation of a tract of several hundred thousand

acres of rich land wherein she has a central position. It is hoped that the Reclamation Service will throw across the Colorado a dam similar to that constructed at Laguna. The building of the Arizona and California Railroad brought into existence a number of Arizona towns, including Bouse (from which the Swansea Railroad was completed in February, 1910), Vicksburg, Salome and Wenden.

Early in 1915 a new town, Gadsden, was established in the lower Colorado Valley, twenty miles south of Yuma, at the end of a railroad spur.

THE MOTHER OF ARIZONA COUNTIES

The story of Yavapai, "Mother of Counties," mainly has been told in other subdivisions of this work, especially in those that deal with mining, the Indian wars, politics and personal mention. There remains very little of large value to add. A volume would be required to give the whole of a local history that is of rare interest.

Prescott, twice capital of the territory and one of the most sightly of Arizona cities, has risen over all disaster and now has new prosperity in her mineral fields and in agriculture.

Masonry had an early establishment in Prescott, where Aztlan Lodge No. 1 was inaugurated early in 1865. The fiftieth anniversary of this event was celebrated by a Grand Lodge session, held in Prescott in February, 1915.

The old courthouse at Yavapai County was built on the authorization of the Legislature of 1877 by the issuance of county bonds in the sum of $60,000, to bear 10 per cent interest and to be redeemed within a period of fifteen years. Provision has been made for a new one, to cost $250,000.

The first financial institution was the Bank of Arizona, started in September, 1877, with Sol Lewis at its head. Others prominently connected with this institution in early days were Ed. W. Wells, latterly its president, Hugo Richards, M. B. Hazeltine and Martin W. Kales. In 1879 the last-named was sent to Phœnix to establish a branch, that later became the National Bank of Arizona.

The Yavapai Club, one of the most attractive features of Prescott, was organized in the fall of 1901, largely through the influence of Frank M. Murphy, who for the uses of the organization erected a handsome building.

PRESCOTT'S DISASTROUS FIRE

Prescott, like San Francisco, has pride in the manner in which she can withstand hard knocks.

July 14, 1900, her business section, around the courthouse plaza, was almost totally swept by fire. The flames demolished historic "Whiskey Row" and left only two of the town's thirty-five saloons. The water supply, in those days, was most meager and little could be done to check the spread of the flames, save to dynamite buildings that were in their path. One energetic individual was discovered just after he had touched off the fuse leading to several dynamite cartridges, which he had placed under the floor of a mercantile establishment wherein were several thousand pounds of mining powder. The fuse was hurriedly pulled out, and the powder on the floor above was removed before being reached by the flames.

The disaster was taken in almost a joyous spirit. The band stand on the plaza became a barber shop and around it, in the night, arose what the occupants

BUSINESS SECTION OF PRESCOTT AFTER BIG FIRE OF 1900

VIEW OF PRESCOTT FROM THE SOUTHWEST

called "Dawson City," with a dozen big gambling halls and drinking places, wherein pianos were hammered noisily and where the women singers warbled as cheerily as of yore. Faro lay-outs and roulette tables had been saved, and had no lack of players, and the sheriff served as treasurer for all the saloons and business houses on the plaza. The printers of the town even issued a daily paper, "The Howler," sold at "two-bits" a copy, proclaiming "All the world was a josh, but to us it is anything but a joke, at present." In the heading also was announced that the publication was "Sacred to the memory of Little Willie, gone but not forgotten." Willie was a printing office "growler."

The cause of the fire was the turning over of a lamp by a drunken miner in his room in a lodging house. Practically no water could be secured for fire fighting and the engineer at the pumping station had gone to bed. All offers of outside assistance were refused by the citizens, who handled their own few cases of destitution.

One of the serious losses of the fire was the destruction of the log walls of the first territorial capitol on Gurley Street. Of like historic interest and value were the papers of A. F. Banta, destroyed in the office of the Prescott Prospect. The total loss was $1,066,000. The total insurance carried was $385,000. The insurance rates had been high, running from 3 per cent per annum in the outskirts to 10 per cent for frame structures in the business section. Before the flames were extinguished most of the property owners had begun preparation for rebuilding. The new structures erected were of much better character than those destroyed, and today the business section of Prescott is as substantially built as that of any other town of the Southwest.

The new Prescott water system was completed in June, 1901, bringing 500,000 gallons a day, pumped under heavy pressure, from Del Rio Springs nineteen miles away, to the city reservoir. The system cost $145,000, but betterments have more than doubled that expenditure.

JEROME'S CONFLAGRATIONS

Second in importance in Yavapai County is Jerome, seat of the mining operations of the United Verde Mining Company, concerning which much has been told in the mining section of this volume. The town, one of the most prosperous in Arizona, has had a civic existence since 1899, when Wm. L. Munds, a pioneer of the county, was elected the first mayor. In 1894 was welcomed railroad connection with the outside world, the narrow-gauge line from Jerome Junction. In April of that year the business section of the camp was almost destroyed by fire. In September, 1898, the camp again was flame-swept. In the succeeding May an incendiary fire once more swept away the business section and a number of homes, despite the efforts of several thousand men, for water was almost lacking. A veracious tale of the last fire gives details of the destruction of twenty-four drinking saloons and fifteen Chinese restaurants.

THE WALNUT GROVE DISASTER

One of the worst disasters ever known in Arizona was the breaking of the Walnut Grove dam, on the night of February 22, 1890. The structure had been built a couple of years before, primarily to furnish water for hydraulic placer mining operations on the banks of the river channel below, though with an idea

of agricultural development as well. The dam was about 110 feet in height and 400 feet long on the top, tapering downward between two solid granite cliffs to a base that was on bedrock and was 130 feet wide. The dam itself would hardly pass modern inspection. It was built of loose rock and earth, with only the outside walls laid in mortar. The reservoir above comprised a lake nearly two miles long. The winter of 1890-91 was unusually snowy and wet. When the snows began to melt after a warm rain the Hassayampa reservoir very soon was filled and it began to be apparent that the spillway provided, fifteen feet wide and eight feet deep, was entirely inadequate to carry away the flood waters. This spillway was soon blocked with trees and rubbish and the water began pouring over the top of the dam. Its collapse occurred soon thereafter. A wall of water, at first probably forty feet in depth, went roaring down the narrow cañon, carrying death and devastation.

It was told at the time that from the dam a messenger was sent down the cañon to warn every one to get to higher ground, especially at a camp a few miles below, where a diversion dam was being built. The messenger found the ride cold and comfortless and sought warmth and companionship in a little drinking place, where his news seems to have been received with derision, and where he soon drank himself into the same careless condition as his companions. A Prescott writer of the period estimated that not less than seventy lives were lost and that sixty-three bodies were recovered and buried at different places adjacent to the river. Only within the last few months a skeleton has been recovered, believed to have been the remains of John Silsbee, a noted pioneer musician. Somewhere in the river, too, is a big iron safe, containing $5,000 in coin that was swept from the establishment of Bob Brow, which was in the cañon a short distance below the dam. It is probable that the Walnut Grove dam will be reconstructed very soon under plans that have been made for a concrete arch structure of the same safe type as that built by the Government at Roosevelt.

FEDERAL BUILDING, PHOENIX

CHAPTER XLVII

THROUGH CENTRAL ARIZONA

Settlement of the Salt River Valley—Foundation and Civic Advancement of Phœnix—First Mails and Schools—How Tempe and Mesa Came into Being—Florence and Its Neighborhood—Towns of the Upper Gila Valley and Early Indian Tribulation.

The first American occupation of the Salt River Valley, though most temporary, was a hay camp, established by John Smith (who had his name changed by the Legislature to John Y. T. Smith), four miles up the river from the later location of Phœnix. Smith, who had been an officer of the California Column, then was trader at McDowell and had a contract to furnish forage at the post.

Jack Swilling several times had passed through the valley, but at the hay camp gained proper appreciation of the agricultural possibilities of the region, seeing also the ease with which water could be taken from the Salt River, following the lines of the ancient canals. So in Wickenburg, in 1867, he organized the Swilling Canal Company, with a theoretical capital of $10,000 and soon the "company" was on the ground, its members' goods brought by an eight-mule team. A start was made on the line of the later Grand Canal, within an ancient ditch, but, for economy of labor a lower site was soon decided upon. The canal thus started, thereafter known as the Salt River Valley Canal, today is the supply ditch for Phœnix and its neighborhood.

The name of Phœnix originated several years before any town was established. Swilling, a soldier of the Lost Cause, wanted to name the settlement "Stonewall." Jacob Starer suggested Salina, but John Larsen demurred on the ground that the word meant "salt marsh." Then Darrell Duppa, pointing to the evidences of ancient occupation, suggested the name that was agreed upon.

There has been found an interesting letter written by Thos. T. Hunter, who entered the Salt River Valley about January 1, 1868, and who, on account of high water, had to camp at the Hayden Butte on the south side of Salt River until February 16, after his party had lost W. H. Cooper by drowning. On the north side he found a number of settlers digging the Swilling Ditch and remembered the names of McWhorter (who was killed by Indians), "Pump Handle John," "Lord" Duppa, Vandermark, McVey, Jim Lee, Fitzgerald, Tom Conley, Jake and Andy Starer, John Adams, "One-eyed Davis," Bill Bloom and Frenchy, who built the first house in the valley, though the structure consisted only of four cottonwood forks set in the ground, with a brush and mud-covered roof. But the succeeding August a large number of new people arrived, including the C. H. Gray, Greenhaw, Rowe and Patterson families and "Red" Wilson,

who was considered foolish for prophesying that from within the valley was to arise a wonderful city. Hunter told that the first child born in the valley, of white parents, was the daughter of John Adams, in the spring of 1868. The same household in April of that year furnished the first bride, the eldest daughter of the family marrying a cowboy, William Johnson. The ceremony was performed by the chaplain at Fort McDowell.

Swilling erected a large adobe house on an ancient ruin, near the head of the canal. There were good crops and the following year there was a material accession to the colony. Starer, Columbus H. Gray, J. Ammerman, and some others dug a branch canal, to this day known as the Dutch Ditch, lands still lower lying served by the Griffith Ditch, abandoned within ten years. Mrs. Gray, who still is living on the old ranch home in the southern suburbs of Phœnix, probably was the first white American woman who came into the valley, though Mrs. James M. Gardiner was first in the Town of Phœnix.

In 1870 a small flour mill, owned by W. B. Hellings, was in operation at Mill City, later East Phœnix. The ruins of its adobe building are to be seen a short distance east of the State Insane Asylum. A roadside station had been started by Major McKinney and, near Swilling's, Capt. W. A. Hancock, another California volunteer, had a small store. This store later was moved to the eastern edge of the present townsite of Phœnix, where the postoffice was started, with Geo. E. Mowry as clerk and postmaster.

FOUNDATION OF THE CITY OF PHŒNIX

When the ideas of the settlers had coalesced to a degree, a meeting was held at the Moore place, October 20, 1870, and Darrell Duppa, Moore and M. P. Griffin were selected a committee to select a townsite on land yet unappropriated. Hancock, who knew something of surveying, already had started on the platting of the north half of section 8, township 1 north, range 3 east, and his plans were reported back to the next settlers' meeting.

Thereupon was organized the Salt River Valley Town Association, with John T. Alsap, Jim Murphy and J. P. Perry as commissioners. This plan probably was that of Alsap, who was shrewd and well versed in the law. The articles of agreement were signed by W. B. Hellings & Co., Darrell Duppa, Barnett & Block, Thomas Barnum, James Murphy, John T. Dennis, W. A. Holmes, Jas. W. Buck, Jacob Starer, John T. Alsap, C. H. Gray, M. P. Griffin, James McElliott, J. P. Perry, William Rowe, McConnell, Daniel, Twomey, C. C. McDermott, Edward Irvine, J. P. Osborn, Andrew Starer, Paul Becker and Jas. D. Monihon.

Hancock's survey, comprising ninety-eight 300-foot blocks, filling a half-section of land, was completed early in 1871, though a lot sale was held in December, 1870. The patent was received April 10, 1874, at a gross cost of $550. The average price received for town lots was $11 for corners and $7 for inside location. For choice business locations now assessed at $1,500 a foot, as much as $104 a lot was paid. The first house was an adobe on Washington Street, between Center and Montezuma (First Street), where the first county offices were housed. These later were moved to a building on the present South First Avenue, later to be changed to a larger structure on Washington, east of Center, property bought from M. Goldwater, where they remained till the present courthouse building was completed.

At the corner of Cactus Way. Old courthouse in background

At the corner of First Street

TWO VIEWS OF WASHINGTON STREET, PHOENIX, 1878

The first lot was bought by Judge Berry of Prescott, on the southwest corner of Washington and Montezuma. The first deed issued by Probate Judge Alsap was on May 18, 1875, to Jacob Starer, for lot 12, block 10, on the corner of Adams and North Second streets, where the Arizona Republican now has its home.

In 1868-9 a horseback mail route ran from Wickenburg connecting with the main route at Maricopa Wells or Florence. There was a relief of horses near Swilling's ranch, where a box had been installed in which was put the mail of the community. In June, 1869, Postmaster Geo. W. Bernard, of Prescott, asked for the establishment of postoffices at Skull Valley, Walnut Grove and Phœnix. The office at the Phœnix settlement was established in 1870, with John M. Olvany as postmaster. Olvany was removed early in 1871 and in his place was appointed Wm. A. Hancock. At that time the settlement had about 300 inhabitants, exclusively engaged in agriculture.

William Smith started the first little store on the townsite and Dennis & Murphy, E. Irvine and Barnett & Block soon followed. The postoffice was moved to the Dennis & Murphy store, where George Mowry opened the first mail sack, as Hancock had been appointed sheriff of the new county in February, 1870, and had a deal of surveying work besides. Pete Holcomb was the first butcher.

The first election was in May, 1871, and the campaign was marked by the first bloodshed on the townsite. J. Favorite, candidate for sheriff, was killed by a rival, Chenoweth. The latter was released on examination, but, naturally, dropped out of the political race. To the office then was chosen Tom Barnum.

The first school in Phœnix had its first session September 5, 1872, established under authority of a late common school act, passed by the State Legislature. J. D. Daroche was the teacher, the session held in the courtroom of the courthouse, on First Avenue, just south of Washington Street. The first trustees were J. D. Rumberg, J. P. Osborn and Wm. A. Hancock. There was a rapid succession of teachers during the first term, Daroche being succeeded by J. Parker and he by W. A. Glover, employed at a salary of $100 a month.

The district in 1875 awarded a contract for the erection of an adobe schoolhouse, 20x30 feet in the clear, costing nearly $1,000, including the lumber from which the desks and the seats were made. The miller, John Y. T. Smith, gave enough lumber for the floor and, a short time afterward married the school mistress, Miss Nellie Shaver. The building, which was occupied November 8, 1873, stood on North Center Street, about the middle of the east side of the present Central School Block. Mrs. Alabama Fitzpatrick, who followed Miss Shaver, taught only a single term before marrying John B. Montgomery. Soon thereafter the little adobe house became too crowded and another teacher was employed and the South Methodist Church nearby was leased for the use of the primary department.

In the Legislature of 1879 was passed a bill permitting the bonding of school districts, so, on the site of the present Central School and facing on Monroe Street, at a cost of $13,000 was erected a four-room brick building. The last teacher in the adobe was R. L. Long, afterward territorial superintendent of public instruction, his assistant being Mrs. Beverly Cox. The newer building first was occupied in the fall of 1880, with O. S. Frambes and wife serving as the senior instructors. Since that time about $1,000,000 has been expended on

school buildings within the City of Phœnix, now providing accommodations for about 4,000 pupils.

INCORPORATION AND CIVIC IMPROVEMENT

Phœnix was incorporated February 25, 1881. The first city council had its initial session at the courthouse May 5. John T. Alsap, who had been townside commissioner, had been elected mayor and the councilmen were: T. W. Brown, W. T. Smith, J. M. Cotton and J. H. Burtis. Geo. H. Rothrock, a pioneer photographer, was recorder. The following year Francis W. Shaw was chosen mayor and Jos. H. Campbell became recorder. Other early mayors were Geo. F. Coats and DeForest Porter.

One of the first additions to Phœnix, to the west, was platted by David Neahr, of Yuma, who was particularly notable in his day for the names he gave his children. These names were: "Freedom, Freeson, Freeman, Freeborn, Freeling, Fannie, Freecome, Fida Mary, Freeland and Freechild." In the center of the plat, where the public library now stands, he laid out two blocks, designated as a park. In years later his heirs deeded this tract to Dr. J. M. Evans, but the courts decided that the map filed in evidence gave the city sufficient title to the land Neahr evidently had proposed to dedicate to public uses.

Phœnix passed under a commission form of government April 7, 1914. As the first city manager was chosen W. A. Farish, an engineer of the Reclamation Service and an honored Arizonan. Within a year, however, dissensions broke out between the commission and the manager, who, after a formal trial by the commission itself, was removed from office March 16, 1915, this indicating a degree of failure in the first commission government experiment tried in the Southwest.

The first city water supply given Phœnix was a distribution system built by J. M. Gardiner and sold by him for $55,000 to Jerry Millay and Thomas Hine, who bonded it for $250,000 and extended the service over about three times the area originally covered. The property then passed into the hands of M. H. Sherman. The bonded indebtedness of the Phœnix Water Company, held at first by the ill-fated People's Home Savings Bank of San Francisco, passed to a New York trust company. Additional bonds were granted in lieu of interest, until finally the gross indebtedness was in the neighborhood of $600,000. The citizens, seeking adequate water service, determined to install their own water system and issued bonds to that end. Fierce litigation immediately started and a $300,000 issue was attacked even while the bonds were in Cincinnati, ready to be turned over to purchasers.

It took three elections to secure municipal ownership of the local water system. The final election was held December 12, 1906. The Phœnix Water Company would not surrender, however. Backed by a contract for fire plugs that still had eleven years to run, it fought the bond issue at the courts and before the public until, in 1907, finally bought off by a payment of $155,000 for its property and franchises. Since then about $500,000 has been spent upon the system, which has proved a financial and practical success.

Phœnix had her first street railway in 1887, about the time of the completion of the railroad from Maricopa. The original line was a narrow-gauge, with light open cars drawn by mules and with about four miles of trackage. The

Woman's Club Building
Y. M. C. A. Building

Young date palms in fruit, near the city
Business section as seen from a balloon

VIEWS OF PHOENIX

operating company, the Valley Street Railway Company, floated bonds for $60,000. In September, 1893, the old road was eliminated and in its stead was installed an electrical system, double tracked on Washington Street through the business part of the city. To pay for this improvement and to take up the bonds of the former company, a new bond issue of $250,000 was made, floated by Gen. M. H. Sherman of Los Angeles, the original promoter, who still is owner of the much enlarged Phœnix and suburban electrical railroad system.

In the summer of 1913 was an extremely nasty street car strike, that tied up the local transportation system for a couple of months, with all the usual disturbances of such affairs, including stoning and egging of cars. But the very violence of the strike wore it out and service gradually was reestablished. This strike had one important result, for from it, it is claimed, proceeded the first "jitney bus" service ever known within the United States. The strikers bought a few small automobiles and established a service that even yet is maintained within the city. One of the strikers went to Los Angeles and there was the pioneer in a "jitney bus" incursion that at one time included about 1,000 machines.

In Phœnix in September, 1910, was inaugurated service by the Overland Automatic Telephone Company, which started with an even 1,000 subscribers and which for a year or more did the greater part of the telephone business of the city. The company's resources proved too small for its business. As a result failure came within a few years. The Bell system supplanted its locally larger rival and a few hundred Arizonans checked off large losses, with only experience as a balancing factor. The year 1910 was locally important as that in which Arizona was given through telephone connection with the Pacific Coast.

Phœnix led in street improvement and in the summer of 1911 made its first paving contracts for the expenditure of $200,000.

Late in 1911 Phœnix started work upon a new sewer system, to cost $400,000 and supplementing a private sewer system which served the business part of the city and which had been acquired by the municipality.

All of Southern Arizona has widespread celebrity as a region where consumption can be cured. As a result its towns have been burdened heavily in past years by an influx of healthseekers. Somewhat relieving the situation in Phœnix is an institution of the Episcopal Church, St. Luke's Home, established in 1908.

As early as 1893 an organization of the Young Men's Christian Association was effected in Phœnix, with a resident secretary and an educational course. The building of quarters was assured by an eleven-day campaign in April, 1907, in which 1,075 subscribers contributed $102,053. The campaign had been started with the expectation of raising only $60,000. The new structure, which had its formal opening March 1, 1910, is of notable architectural beauty. In the same year construction was started on a group of high school buildings to cost $150,000 and on a handsome building for the Woman's Club.

ABNORMAL NEWS FEATURES

The winters of 1890 and 1891 both were marked by exceptional spring floods in the rivers of Arizona. In February, 1891, a warm rain descended upon deep snows on both the Salt and Verde River watersheds. There was a maximum

flow of twenty-three feet over the crest of the Arizona dam. Canal headings melted away and the water overflowed into lower ground, surrounding the insane asylum and covering the southern part of Phœnix several feet deep. Within the city the main damage done was the melting down of scores of adobe houses, making homeless hundreds of Mexicans, who then were sheltered in tents on Military Plaza. The Maricopa & Phœnix Railway bridge across Salt River at Tempe was lifted from its piers and much damage was done generally to the railroads of the territory.

The Adams, the largest hotel in Arizona, was destroyed by fire early on the morning of May 17, 1910, with a loss appoximating $200,000. No lives were lost within the building, though it was a veritable fire trap. The guests, who included Governor and Mrs. Sloan, generally reached safety by means of the balconies and adjoining roofs. On the ruins of the old hotel soon thereafter rose a much larger fireproof structure, built of concrete.

Something very close to an insurrection was known in Phœnix, September 16, 1912, while the Mexican population was celebrating its independence day. The time was chosen by a number of agitators for starting a race riot. As well there was disorder between a couple of Mexican factions, culminating at dusk in the stabbing of Chief of Police Moore and Policemen Valenzuela and Williams and in the accidental death of a lad, Scott Price, hit by a wild bullet from the wounded chief's pistol.

A Mexican insurrection was threatened in Phœnix in August, 1914, when ten dusky conspirators were arrested, charged with plotting to raise the Indian population against the Americans, to raid the banks, the state capitol and the militia armory and to arm and equip a large force of Mexican insurrectos, who were to march forthwith into Mexico and to fight for an unspecified cause. When the matter was investigated in the courts it was found that the conspiracy was genuine enough, but that the results possible of achievement would have been immaterial.

December 18, 1906, in Phœnix, of consumption, died Nicola Constantinovich de Raylan, manager of the Russian-American Bureau of Chicago, former secretary of the Russian consul at Chicago and a member of the Chicago Hussars. Not till placed upon the embalmer's table was it found that the body was that of a woman. The masquerade had been maintained for about twenty years, since de Raylan's arrival from Russia. She had even married twice, to the first marriage being credited the birth of a son before the couple separated. The second wife survived in Chicago. Each insisted that her "husband" was a man. De Raylan's business in Chicago was one of large profit, returning an income of $100 a day. The Probate Court in Chicago threw out the claims of the alleged wife, though backed by a marriage certificate, and decided that the estate, valued at $7,000, should go to Russia to the mother of the dead woman, Seraphina Teiletsky. The mother claimed to have had no knowledge of the reason why her daughter assumed male garments.

One of the notable crimes of Arizona history was the murder, north of Phœnix, in March, 1907, of John Leicht, whose body was found where it had been dumped from a buggy, after a search participated in by hundreds of townspeople. Death had been by means of chloroform. A reward of $1,000 found the murderer, Louis V. Eytinge, in San Rafael, Cal., and thereafter he was

sentenced to life imprisonment in the penitentiary. Since that time Eytinge has managed to keep very much in the limelight. Though with a criminal record that included forgeries and various other felonies, beside the murder for which he was committed, he has managed to enlist the support of a large number of trade organizations, in various parts of the country, that have made efforts to secure his release. Following out the policy of Governor Hunt, to keep the prisoners profitably and congenially employed, Eytinge has been permitted to operate from the prison a mail order school and has also been allowed to serve as sales agent for the personal manufactures of the inmates.

The hard times of the fall of 1914 were given as the cause of the failure of the Valley Bank of Phœnix, the largest financial institution in the Southwest, which was taken in charge by State Auditor Callaghan, November 10. Interested were nearly 9,000 depositors, with approximately $1,800,000 deposits. On investigation, the affairs of the bank were found in bad shape, with holdings of about $500,000 of poor paper. The settlement of its affairs was taken in hands by a committee of depositors, with results considered unique in the history of American banking. A holding company was organized with a capital of $350,000, subscribed by the depositors and bank directors. This company took up $800,000 worth of the evidences of indebtedness. The bank then was taken over by a strong syndicate of mining capitalists. The holding company without delay proceeded to realize on the paper held by it with the expectation that its losses would not exceed the capital stock and surplus of the old bank, thus assuring all depositors of practically a full return of their money.

AGRICULTURE AND INDUSTRY

In 1883 Felix G. Hardwick received a reward of $500 offered by the Legislature for the first bale of commercial cotton raised in Arizona, the solons taking heed that the ancients had found it possible to raise the staple in the Southwest. Hardwick grew 3,390 pounds of lint on five acres of his farm near Tempe and the product was exhibited at the New Orleans Fair and pronounced good. The first oranges were planted in 1888 by W. J. Murphy, Wm. Christy and other Arizona Canal farmers. In 1888 also was the establishment of the Phœnix Chamber of Commerce, with Henry E. Kemp as its first president.

Near Phœnix in 1900 was abandoned an industry on which great hopes had been based. An English company for several years had cultivated 2,000 acres of land in canaigre, an Arizona plant with tuberous roots, especially rich in tannic acid and used with success by Mexican tanners for many generations. The product was shipped to England but apparently without profit.

The idea of a beet sugar factory started late in 1901 when a committee of Phœnix business men began the gathering of a bonus of land and of money for a factory, which was established at Glendale, about nine miles northwest of Phoenix. The plant has had several seasons of operation and latterly has been remodeled so as to permit the treatment of sugar cane as well as beets, a change doubling the length of its season of operation and making profit possible of attainment. The plant in all has cost about $1,500,000. As it stands it is now capable of handling the product of about ten thousand acres of land.

In the early days of Southern Arizona the summers were endured absolutely without ice. When the Southern Pacific Railroad came, ice could be had along

the main line, brought down from the Sierra Nevadas. In Globe, properly to celebrate the Fourth of July, a special shipment of ice was brought in by stage to be served in the thirst emporiums in very small cubes, for it had cost 25 cents a pound. The first ice factory of Arizona was in Phœnix, its machinery started in the summer of 1879 by Samuel D. Lount, brother of a member of the pioneer Walker party. He had a process of his own, probably peculiar to the single factory in which it is still used. Lount's first machine had capacity for making about one thousand pounds per day and this, delivered in a wheelbarrow, sold for 7 cents a pound.

Phœnix was honored in December, 1914, by the annual meeting of the American Mining Congress. Among the resolutions passed was one recommending the establishment of a national department of mines and mining, with a member of the President's cabinet at its head.

THE SOUTH-SIDE SETTLEMENTS

Tempe, about eight miles from Phœnix, now especially well known as the site of the State Normal School, was founded about the same time as Phœnix, in 1871, when Jack Swilling turned from his canal construction on the north side of the river to join with other pioneers in the building of the Tempe Canal. One of the first of the settlers, and the first business man, was Chas. Trumbull Hayden, a Tucson merchant, who in 1871 established a store in a house of willow wattles near the river, across which he placed a ferry. So the first settlement was known as Hayden's Ferry. A short distance beyond was a community of Mexicans that had been named San Pablo. Between the two towns, the Johnsons and other Mormons settled and with their coming, about 1879, the name of Tempe was generally used.

Tempe is assumed to have been named by that erratic genius Darrell Duppa, after the romantic vale of Tempe, in Greece, where poets rusticated and evolved songs of pastoral content. There also is a theory that it came from Jack Swilling's discovery of a "tame pea" vine on the river bank, but this is not so plausible. At any event, the word is not Spanish and should be so pronounced.

Among the "old timers" who helped in the digging of the first canal, and who farmed lands beneath it, were Winchester Miller, one of the most lovable of men; J. T. Priest, who did much toward securing the Tonto Basin reservoir; Nathaniel Sharp; Robert Carley, who had the uppermost ranch; Niels Petersen, who later became the community's wealthiest citizen, and Wm. H. Kirkland, the famous pioneer.

Tempe secured her water system at a cost of $28,000 in 1902, the water electrically pumped from deep wells within the townsite to a reservoir excavated on the overshadowing Tempe Butte.

Tempe became of large importance on the construction of the Southern Pacific branch road in 1887, and since has maintained the distinction of being the most important cattle feeding and shipping center within the valley.

The settlement of Mesa, February, 1878, was purely an enterprise of the Church of the Latter Day Saints, and therefore has been considered in a chapter devoted to that pioneering organization. It was named and laid out by C. I. Robson, Geo. W. Sirrine and F. M. Pomeroy, to whom the land was deeded by its locator, D. C. Sirrine.

The town is remarkable for the width of its streets, 125 feet. Each block of ten acres was cut into eight lots and each settler holding one share of stock in the Mesa Canal was entitled to four lots. A school house was built out of adobe and was used also for religious services. The settlement had early incorporation, July 15, 1883, and A. F. McDonald was the first mayor elected. The Mormon band of seventy-nine people, enumerated early in 1878, has grown until Mesa now is the second city of the county, surrounded by an immense acreage of fertile land, exceptionally well irrigated by three canal systems, which have a single head at the south end of the Granite Reef dam.

Chandler, in the southeastern part of the Salt River Valley, dates back only to the summer of 1911, the locality then favored by the building of a Southern Pacific branch. At once was started the erection of one of the handsomest hotels in the Southwest, around which has grown a town of many attractions, within a rich farming district.

FLORENCE AND VICINITY

Pinal County embraces mining and agricultural sections, both of them rich and productive. Its county seat is Florence, a town established in 1867. One of its first settlers was a man named Chase, who in 1867 built an adobe house, which still is standing, and who dug an irrigating ditch. In 1868 Levi Ruggles bought the Chase house and ranch and soon thereafter laid off a part of the land in town lots. Ruggles had come to Arizona in 1866 as an Indian agent and around 1873 was register of the Gila District Land Office at Florence.

As early as 1868 was constructed a building used by Joseph Collingwood & Co. as a store. A patent to the townsite was granted in 1882, directly to the occupants of the land. Florence in 1875 was credited by Hodge with a population of 500, and its industries included a smelting furnace, and three flouring mills, in or near the town.,

Florence in 1879 was officially designated by the Territorial Legislature as lying in the very center of mineralized Arizona. This was in connection with a memorial to Congress wherein was suggested the establishment at Florence of a branch mint, the document reciting the names of practically all the mining districts of Arizona considered as so lying that Florence was easy of access from all. Especial stress was placed by the memorial upon the silver industry, which then was led by the Silver King.

In the chapters devoted to mining will be found especial reference to the Silver King, Ray and other important mines of Pinal County. Some of the towns of the olden time are dead. Especially there was Pinal, which had 2,000 population in 1881, and which expected to become the county seat. About all there was of Pinal, which better was known as Picket Post, was the mill of the Silver King, and when that shut down it died.

The Superior District, now active once more, in the early days had a townsite, that of Hastings, named for a San Francisco clothier. He had a gold mine managed by D. T. Elmore, a spiritualist, who dreamed that there was gold in the rock that he was getting out. A twenty-stamp mill was built at a cost of $60,000 and ran just three days.

Near Florence are the ruins of Adamsville, which the inhabitants had renamed after Capt. Geo. B. Sanford (bvt. Lieut.-Col.), who commanded at McDowell

about 1870 and who showed much interest in the Pima Indians. Known to few is the fact that a resident of Adamsville in 1869, a clerk for Nick Bichard, was John P. Young, the veteran San Francisco journalist, editor of the Chronicle and writer of an extensive and charming history of the great coast metropolis. Adamsville had a flouring mill, owned by Bichard, said by Hinton to have been the first built in Arizona.

THE UPPER GILA VALLEY

The first white settlement in Graham County, following the Spanish explorers, the passage of several military, prospecting and trapping expeditions, was at old Camp Goodwin, where for several years was stationed a detachment of the California Column, which used it as a base for operations against the Indians. Several Mexican families already were residents of Pueblo Viejo (Old Town), the present site of Solomonville, and of San José, a couple of miles up the river, prior to 1873, when the first American settlers arrived in the valley. These were people who for a number of years had been trying to farm near Gila Bend, but had been unsuccessful, owing to the washing away of their dams and headgates, which had been built in the sand of the Gila River banks. They camped not far from the present Town of Safford and the following year, under United States townsite laws, laid off the present metropolis of the county, named after Gov. A. P. K. Safford, who was a visitor to the valley about that time.

Near Pueblo Viejo was a road house, where a man named Munson had a small store. Some energy was introduced in 1876 on the arrival of I. E. Solomon from Las Cruces, N. M. He stopped for a while at San José, where the Mexican residents included the Mejias, Montes and Montoyas. Later he moved three miles further down the valley and located where now is Solomonville, after he had bought out and displaced Munson and his roadside inn.

Mr. Solomon went into the valley for the purpose of burning mesquite charcoal for use in the smelter at Clifton, where the mines then were being operated by relatives, the Leszynksys.

Solomon started a store, which soon became the trading post for a large extent of country, though there were only a few white families between that point and Fort Thomas, a military post garrisoned by three or four companies. Solomonville today is not a very large town, yet it rejoices in three names, for the postoffice is known as Solomonsville and the railroad station as Solomon. The court house was moved in 1883 to Solomonville from Safford, which was given the honor at the time of the foundation of the county and which, by a late referendum vote, is to have it again.

The name of Solomonville is said to have been suggested by Bill Kirkland in 1878, on the establishment of a postoffice at Pueblo Viejo. About that time Kirkland is said to have been riding mail between Fort Thomas and Clifton, over a route on which he was in constant danger of meeting Apache war parties. The name of Pueblo Viejo had especial reference to the presence of ancient ruins in the locality.

The early days in the upper Gila Valley were full of danger. The settlements were placed in the very center of what had been the Apache hunting

grounds and on routes which from time immemorial had been used for raids into Mexico. The presence of troops at Fort Thomas and Fort Grant and a degree of military supervision on the near-by San Carlos Reservation undoubtedly saved the settlers on more than one occasion.

When Mr. Solomon came to the valley, Victorio was making things interesting in the locality and at one time thirteen of the Solomon sheepherders were killed by his band, together with destruction of much valuable property. With the herders at that time were a woman and two children. One of the children escaped alive. At another time, over toward Deming, two teamsters in the Solomon employ were killed by Apaches. With them had gone Adolph Solomon, brother of I. E. Solomon, but he became ill on the journey and turned back, while the drivers went on to their death. A similar experience was known by Charlie Solomon, then about 7 years of age, and now a banker in Tucson. He was being sent to Las Cruces, there to join his uncle for a trip to Germany. The driver in whose care he was placed was pressing onward but was compelled to camp by a heavy rain storm, which even prevented the lighting of a fire. The next morning they came upon the scene of a massacre of a score of people, some of them not yet dead, suffering horribly from Indian cruelties. They had thus been left by one of Victorio's bands, which had hurried away into the hills with the stolen horses and cattle. It is probable that a bank president was saved to Arizona by the fact that a fire could not have been lighted at the desert camp the night before.

At another time the family had started for Las Cruces to meet Mrs. Solomon's mother, but sickness again, on the part of one of the children, caused delay on the road. The stage on which they would have gone to Las Cruces on that day was captured by the Indians and all the occupants killed, among them the son of Captain Madden, on his way home from college.

About 1885 Geronimo and his band stole a number of horses at Thatcher. They were pursued by the Wright brothers, through Solomonville to a point about six miles above San José, where they were ambushed. One of the Solomon employees, Nash by name, with several teams was in the vicinity on his way to Solomonville. In the morning he found the bodies of the Wrights and brought them back. Later on the spot a monument was built by the settlers.

Only a few miles west of the settled Gila Valley a frontier tragedy occurred as late as 1890. In the Deer Creek coal fields was found the camp of five prospectors whose skeletons and scattered camp equipment told a clear story. The camp had been surprised by Apaches. Four of the men had been killed as they fought, but the fifth had been taken alive and had been tortured and burned at the stake, for under the blackened trunk of a tree was a mere pile of half calcined bones.

Much of the history of Graham County attaches to the work of Mormon colonists. Within the county, however, Safford is recognized as rather a "Gentile" city. Its first business man appears to have been J. E. Bailey. D. W. Wickersham was a pioneer school teacher and in 1878 a market for the valley's wheat was afforded by the building of a mill by E. M. Jacobs of Tucson. Pioneer residents especially remembered are E. D. Tuttle, E. T. Ijams, Geo. A. Olney, Peter Anderson and J. T. Owens.

The Gila Valley now ranks only second to the Salt River Valley in agricultural prominence within Arizona. It has prospered to a remarkable degree, especially since the coming of the Gila Valley, Globe and Northern Railroad. It is favored by a large and near-by mining market for its products and also by possession of a hard-working and intelligent class of settlers.

CHAPTER XLVIII

SOUTHEASTERN ARIZONA

Tucson, from Mexican Days to Modern Times—Arrival of the Railroad—Telegraphing the Pope—Current History of Tombstone and Bisbee—Nogales, Successor to the Hopes of Calabasas—War on the Border—Globe and Miami.

The history of Tucson since 1864 is much the same as that of many other thriving communities advancing in civilization and material prosperity. Now she has paved streets, electric cars, three lines of railroads and a university and all the evidence of bustling prosperity. Yet her people take especial pride in the memories of the past and in the distinction of their city as the oldest within the state. The old walled village has gone back to dust and few there are to designate the land marks, other than Samuel Hughes, who came in 1858, "when the town was on the other side of the river and the garrison on this side." Mr. Hughes shows where the wall of the old presidio commenced, at the corner of Main and Washington streets, where the home of J. Knox Corbett now stands, running thence to Church and from Church to Pennington, and from there back to Main. It was twelve feet high and had only one entrance, on the south side. There was always a sentry at the gate and when night came everybody went inside. Outside of the walls there was a village of Pimas and one of friendly Apaches. Across the river, near the village, was a church.

Early day prices in Tucson, on the evidence of G. F. Angelo, indicated living expense not exactly fitting with the low wages of the period. A drink of whiskey cost 50 cents, corn sold at $12.50 per 100 pounds and ordinary muslin cost $1 a yard.

Tucson afforded much entertainment to Capt. John G. Bourke, who visited it in the course of his duty when Camp Lowell was on the eastern edge of the town. He came in 1869. He called it as foreign a town as if it were in Hayti. There was no hotel, but there was at least one boarding house that was honored with the patronage of the governor and other territorial officials. There were no streets, pavements or street lamps; no drainage, and the water was brought in barrels. The garbage piles were monumental and Bourke affirmed in the lower strata one could find arrowheads and stone axes and just above, spurs and other relics of the "Conquistadores," while high above them were stray cards, empty tomato cans, beer bottles and other similar evidences of a higher and nobler civilization. Though there was nothing saintly about the burg, time was determined by the bells of the cathedral.

The cosmopolitan character of the place best was shown around the gambling saloons, where there were Americans of all degrees, Mexicans, Chinese and

"civilized" Indians. Little disorder was to be noted, even though occasionally Slap-Jack Billy would parade himself before the bar of Congress Hall and proclaim to the world that he could whip his weight in b'ar meat. The flavor of the old town, however, was distinctively Mexican and there were many pretty Spanish-Mexican customs that had been adopted in the daily life of the town. Many of the more prominent Americans had married into the good Mexican families and the home life of the settlement thereby was affected. Almost nightly there were serenades, and the fair ladies behind the barred windows were treated with the same round of music, wherein "La Paloma" and "La Golondrina" always had place. Captain Bourke has set down even the words of some of these serenatas, in alternate lines indicating accompaniment on the guitar. Here is a sample:

No me mires con esos tus ojos,
(Fluke-fluky-fluke; plink, planky-plink.)
Mas hermosos que el sol en el cielo,
(Plinky-plink; plinky-plink.)
Que me mires de dicha y consuelo.
(Fluky-fluky-fluke; plink-plink.)
Que me mata! que me mata! tu mirar.
(Plinky-plink, fluky-fluke; plinky-plink; fluke-fluke.)

TUCSON'S CIVIC ORGANIZATION

The first move toward civic incorporation was on April 20, 1871, when the county supervisors were prayed to organize the municipality of Tucson. The petition was signed by W. S. Oury, I. Goldberg, S. H. Drachman, S. R. DeLong, P. R. Tully, Estevan Ochoa, Samuel Hughes, Solomon Warner, L. Zeckendorf, H. S. Stephens, E. N. Fish, J. W. Hopkins, Charles Leszynsky, P. W. Cooper, and A. T. Jones. In the document was alleged that the settlement had 3,200 residents, a claim based upon the census of 1870. At the following election, after approval of the petition, the following-named were elected: Mayor, Sidney R. DeLong; aldermen, W. S. Oury, W. W. Williams, Samuel Hughes and Chas. O. Brown; marshal, William Morgan; assessor, W. J. Osborne; treasurer, H. S. Stephens; poundmaster, Juan Elias. Later there was a new charter and the Legislature extended the corporate limits of the Village of Tucson to include four and one-half sections of land, to be designated as the Western Addition.

The naming of the streets of Tucson, according to A. F. Banta, mainly was done in 1873 at the time of the enlargement of the original townsite and the names were suggested, he tells, principally by Surveyor-General Wasson and Governor Safford. Congress Street, then, as now, the main thoroughfare, was so designated because at the intersection of the street with Meyer Street stood Congress Hall, the biggest gambling saloon in the Southwest. Meyer Street was named after Charles Meyer, who had a drug store at the same intersection. Convent Street followed naturally as it led to the convent of the Sisters of St. Joseph. Pennington, Cushing and Simpson streets and Stone Avenue were named after pioneers, all of whom had been killed by Apaches. Franklin Street was named after Banta himself, for Charlie Franklin was the "war" name under which he was known.

BIRD'S-EYE VIEW OF TUCSON

Peace to a relative degree came to Tucson when Charles Meyer assumed the office of Alcalde or justice of the peace. He established a chain gang and stood by his own court procedure even when it happened to clash with the laws of the period.

The City of Tucson was incorporated by legislative enactment approved February 7, 1877, with provision for the election annually of a mayor, two councilmen, recorder, treasurer, assessor, marshal and poundmaster.

CELEBRATING A RAILROAD'S ARRIVAL

It was a happy day when the iron horse came to Tucson, March 17, 1880. The enthusiasm was pent up till the 20th, when a formal reception was given a special trainload of high railroad officials and their friends. When the train drew in there was wild enthusiasm on the part of the populace and there was music by the Sixth Cavalry Band from Fort Lowell. Heading the party of Californians was Charles Crocker, president of the railroad. Also there were Superintendent James Gamble of the Western Union Telegraph Company, Chief Engineer George E. Gray, Division Superintendent E. E. Hewitt, Frank M. Pixley, editor of the San Francisco Argonaut, and Major Ben Truman, a noted coast journalist. The citizens had an elaborate reception organization, with no less than nine committees. There was an address of welcome from our old friend, Col. W. S. Oury. Then Oury's old associate in Indian warfare, Don Estevan Ochoa, presented to President Crocker a silver spike, a timely gift, made by Superintendent Dick Gird of the Tombstone Mill and Mining Company of bullion from the Tough Nut mine.

The main function, however, was a banquet held at Levin's park, at the foot of Pennington Street. Mayor R. N. Leatherwood presided, but turned the office of toastmaster over to Col. Chas. D. Poston, who made the formal speech of welcome. The other speeches listed in the Tucson Star were by Col. Ben Morgan, Gen. E. A. Carr, Hugh Farley, F. H. Goodwin, Professor Cox, Roland M. Squire, Mexican Consul Manuel Prieto, Carlos Velasco, Thomas Fitch, Frank M. Pixley, Chief Justice French and William Oury.

On the date of the arrival of the railroad, Mayor Robt. N. Leatherwood, in his official capacity sent out a number of telegrams, to the President of the United States, to Governor Frémont and the mayors of several coast cities. In this connection Leatherwood accepted a suggestion to advise the Pope that Tucson at last had been connected by bands of steel with the outside world. At the banquet an alleged reply was read, about as follows:

> His Holiness the Pope acknowledges with appreciation receipt of your telegram informing him that the ancient city of Tucson at last has been connected by rail with the outside world and sends his benediction, but for his own satisfaction would ask, where in hell is Tucson?
>
> (Signed) ANTONELLI.

Tom Fitch acknowledges some responsibility for the almost blasphemous reply and in a late letter states that "Hugh Farley, W. H. Horton and I forged the message and suborned a telegraph messenger to carry it to Bob."

The accuracy of this pioneer understanding is disputed, however, by Dr. M. P. Freeman of Tucson, who is of the opinion that the dispatch to the Pope was

written in good faith by none other than Charles D. Poston, who at the time originated the expression, so well known, of "Ancient and Honorable Pueblo." According to Doctor Freeman, the text of the telegram was as follows:

Tucson, Arizona, March 17, 1880.

To His Holiness, the Pope of Rome, Italy. The mayor of Tucson begs the honor of reminding Your Holiness that this ancient and honorable pueblo was founded by the Spaniards under the sanction of the church more than three centuries ago, and to inform Your Holiness that a railroad from San Francisco, California, now connects us with the Christian world. R. N. Leatherwood, mayor. Asking your benediction, J. B. Salpointe, Vic. Ap.

A very material point is that it was taken to Bishop J. P. Salpointe, who added his signature, asking the benediction of the Pope. According to this account, nothing in the least disrespectful was sent or intended, though it is not known whether the message was dispatched or whether a real answer was returned.

Another special train came May 6, bearing a group of Southern Pacific officials, including Assistant General Superintendent E. C. Fellows, General Freight Agent J. C. Stubbs, and Chief Engineer S. S. Montague. The party returned from the front in the evening and, according to the Star, then "were greeted by many of our best citizens." According to Stubbs, who in later years became traffic manager of all the Harriman lines, that evening's entertainment was to be remembered with awe, for he told that so fast was the champagne consumed the waiters were instructed to pour it out in buckets.

About this time Tucson was enjoying large prosperity, being the forwarding point and market place for the great mining discovery at Tombstone, as well as for scores of other lively mining camps that then were scattered all over Southern Arizona. The trade with Sonora was so large that Mexican silver dollars were the basis of mercantile exchange and at that time had not descended below the general value of 90 cents in American currency. Never was there such gambling known in Arizona, and prosperity was at its highest tide.

THE HANDY-HENEY AFFAIR

September 24, 1891, occurred an incident that in years later was given even greater publicity than at the time. It was the killing of Dr. J. C. Handy by Frank Heney, a young lawyer, who later attained prominence as a prosecutor in California, especially in connection wtih graft investigations in the northern part of the state and in bribery trials that tarred practically all the civic administration of San Francisco. Heney in 1891, already very much involved in democratic politics and already showing the aggressiveness that later led to high success at the bar, had taken the case for the defense in a divorce suit filed by Handy against his wife. The doctor's ante-morten statement was to the effect that Heney had rushed from his office and had thrust a revolver against Handy's body and fired. Though Handy had a revolver it was not drawn. About the only near witness was Heney's stenographer. Heney claimed that Handy had abused him for months because of his protection of Mrs. Handy, even after the verdict had been given against Heney's client and Handy had secured possession of his five children, and swore also that at the time of the encounter Handy was the aggressor and had cursed him and tried to seize him before Heney's shot was

William C. Greene

Judge Charles H. Meyer

Thomas Gates

PROMINENT MEN OF SOUTHERN ARIZONA

fired. Heney was discharged on preliminary examination and still later an indictment against him was refused by a grand jury.

TUCSON ITEMS OF GENERAL INTEREST

Early in 1900 the military plaza in Tucson was "jumped" by a number of squatters headed by Dr. George Martin, who claimed that the city had never been granted the land. The courts finally decided in favor of the municipality and the squatters were ejected.

In August, 1900, Tucson purchased the local water service system for $110,000.

In its earlier days Congress Street, the main thoroughfare of the city, was narrow and inadequate. In 1902 it was widened by the razing of a long block of low adobe buildings that lay within what was called the wedge.

The worst casualty ever known in the annals of southwestern transportation was the train wreck at Esmond station near Tucson in February, 1903, with more than a score of passengers killed. Two heavy trains, running at high speed, crashed into each other, the locomotives crumpling like cardboard and the blazing oil tanks sending a fiery stream down the roadbed. More than a score of passengers were killed, nearly all of them in the forward coaches, from which eighteen charred bodies later were taken. The blame was laid on a young operator at Vail station, who had failed to deliver an order.

The Old Pueblo Club, the city's principal social organization, in June, 1908, occupied its handsome clubhouse, built and furnished at a cost of nearly $80,000.

Following the discharge of a number of trainmen for various causes, in June, 1909, the home of Division Superintendent Whalen of the Southern Pacific Railroad was almost destroyed by an explosion of dynamite in the early morning. After the dynamiting, four attempts were made to fire the railroad shops. Colonel Randolph and Superintendent Whalen sharply called the community in general to account in a statement that it seemed almost impossible for the Southern Pacific to get a conviction in the county for crimes against its property. So the business men of Tucson at once formed a good-government league for the suppression of anarchy.

In the fall of 1909 the city council took extraordinary action in requesting Mayor Ben Heney to resign, following a long-drawn-out quarrel with the city council over charges made by the mayor against the city marshal.

May 5 is a holiday in Mexico. On that day in 1862 the French were defeated by General Zaragosa at Puebla. The date therefore was deemed most appropriate for a celebration, 1910, on the opening of the railroad entering Tucson from Nogales and thus connecting it with Sonora and the west coast of Mexico.

Another joyful occasion of the same sort was the greeting extended to the El Paso and Southwestern System when it entered Tucson in November, 1912.

Tucson had subscribed about $60,000 towards the purchase of a right of way and station grounds for the Southwestern, but the railroad company, an annex of the great Phelps-Dodge corporation, showed a large spirit of generosity, after reaching Tucson in returning the money to the committee that had raised it, Manager Walter Douglas suggesting that it might served as a nucleus for a building for the use of the Young Men's Christian Association. This suggestion

was accepted and as a result in December, 1914, on a site once occupied by a gambling palace, was opened a Y. M. C. A. building that had cost $100,000.

In the past year Tucson has been trying the experiment of civic operation under a city manager. Though only general permission could be found in the city charter for such a step, a manager was appointed in the person of C. K. Clark, a railroad construction engineer. This action was taken by a new city administration headed by former Postmaster J. Knox Corbett.

Tucson is a notably strong city financially. Her banking in pioneer days mainly was done by the firm of Lord & Williams. In January, 1879, the Pima County Bank was opened by Tully & Jacobs Bros.

TOMBSTONE, PAST AND PRESENT

The story of the beginnings of Tombstone and of the rougher features that accompanied its "boom" days will be found on other pages. The camp had only about ten years of active life and only half of those years were eventful. Then came a period of rejuvenation, when the Murphy-Gage interests tried to conquer the flow of underground water and now is being experienced a third stage of prosperity, backed by the large, though conservative, mining operations of the Phelps-Dodge Company.

The first settlement was at Watervale, a couple of miles distant from the Tough Nut mines; Tombstone itself was not much of a place when first seen in October, 1879, by Judge Duncan, when he came up from Watervale just in time to see a man murdered. The deed seemed to be taken with indifference by the community, in which bloodshed was common. Then the settlement comprised forty house tents and cabins, possibly with a population of 100. Mike Gray offered the visitor lots on Allen Street for $5 each. "Pie" Allen had a store at Fourth and Allen and Landlord Bilicke, who in after years built the Alexandria Hotel in Los Angeles, had erected the Cosmopolitan Hotel, the most imposing building in the camp.

A year thereafter the camp had about 1,000 residents, the population rising soon to about 14,000, according to one estimate. Its newspaper history, elsewhere related, had many entertaining features. Next to mining, the principal industry without doubt was gambling. Drinking saloons took up most of the space on the business streets. Fourteen faro banks never closed.

In 1881 no less than 110 liquor licenses were paid in Tombstone. This did not exactly mean open saloons, for liquor was sold in almost any mercantile establishment in those days. Over the collection of the county liquor and mercantile licenses there was a deal of scandal. One old-timer said, with emphasis, that he was sure that as much as $200,000 disappeared during the boom period of the camp, and he wouldn't take one red cent from the amount. But little was cared, for the whole tendency of the times was happy-go-lucky. All that money was made for was to spend. According to Judge Duncan, the financial muddle the county soon fell into was more or less due to the business incapacity of the supervisors.

In its earlier days, Tombstone was embraced within Pima County. In 1881, County Recorder W. S. Carpenter at Tucson was understood to be making money at the rate of about $3,000 a week mainly from mining fees from Tombstone, which at times sent down as many as 100 locations a day. In those happy days

all fees went to the officials. Sheriff R. H. Paul had an office about as lucrative, but both Carpenter and Paul died poor.

Cochise County was organized by the Territorial Legislature of 1881, despite strong objection from Tucson. The name should have been "Cachise," but the bill was otherwise engrossed and the measure had passed under such circumstances, of moral and other kinds of suasion, largely financial, that its backers consoled themselves with the thought that nobody knew how to spell an Indian name anyway, and let the error pass.

The first session of court was May 9, 1881, with Judge W. H. Stillwell presiding and the first business transacted was the admission of Marcus A. Smith to practice as an attorney.

Tombstone was incorporated about the same time she became a county seat. There were disastrous fires in 1881 and 1882, but soon an ample supply of water was piped in from the Huachuca Mountains, securing against recurrence of such disasters.

When the Grand Central and Contention hoists burned and water flooded the lower workings of the mines, Tombstone began to disintegrate. Her population drifted to other camps and nine-tenths of her buildings were deserted. Property values became almost nil. Hundreds of the frame houses were torn down, their material going to nearby camps, such as Pearce. Such experiences frequently have been known in Nevada, but rarely in Arizona.

When Bryan made his first race for the presidency, Mayor A. Wentworth of Tombstone made a vow that he would not have his hair cut till Bryan sat in the White House. The election of Wilson sufficed, however, and Wentworth thereafter was a patron of barber shops.

BISBEE'S CURRENT HISTORY

Bisbee as a town started in the summer of 1880, when the Board of Supervisors of Pima County appointed Jas. F. Duncan justice of the peace and William Fenton constable. A postoffice was established September 7 of the same year, with Horace C. Stillman as postmaster. The camp had been named after Judge DeWitt Bisbee, father-in-law of John Williams, one of the three Williams brothers, and a member of the San Francisco mining firm of Bisbee, Williams & Company. The first election held was on November 2, 1880, and in December Judge Duncan performed his first marriage ceremony, incidentally the first in the camp, that of Benjamin Morgan and Miss Jessie Dunton. In 1881 the Warren Mining District was formed, with Horace Stillman as secretary.

About the time that Bisbee was established with many miners from the Comstock and California points, there was much anti-Chinese agitation along the coast. This prejudice was brought by the men to Arizona and so in the early days of the camp a rule was established that no Chinese might remain over night. To this day, darkness is never supposed to overtake a Chinese vegetable peddler or wash man within the city limits of Bisbee. Of course, any enforcement of the regulation would have no legal sanction, but it has proved effective, just the same.

In 1906 an attack was made upon the surface holdings, a considerable part of the townsite claimed by Martin O'Hare and others under mineral filings.

A decision was made against the claimants in the general land office and later by the secretary of the interior.

Growing out of labor union troubles, the office of the Bisbee Review in August, 1909, was invaded by a former employee, W. A. Pffankuch, who apparently had intention of slaying every workman therein. The first task of the murderer was to kill two linotype operators, Asa T. Hoy and William Bockholt. When the assassin had exhausted the contents of his revolver, he was captured and taken to Tombstone in order to avoid a probable lynching. When tried, there developed an apparent mental deficiency and the assassin's neck was saved.

Street car communication was established from the business section of Bisbee to the suburbs of Warren in March, 1908.

In October, 1908, Bisbee suffered a destructive fire with a gross loss of $500,000 and insurance of two-fifths of that amount. The flames swept the business section, its progress almost unchecked owing to the lack of a proper water supply. Finally the fire was stopped at the edge of a broad space that had been cleared by dynamite.

The main business streets of Bisbee were laid out at the bottom of Tombstone Cañon and Brewery Gulch, which join at the old smelter site, into Mule Pass. Though the water-shed above is not a large one, on a number of occasions rather serious floods have menaced the lower parts of the city. Early in the history of the camp a substantial wooden gate was built near the head of the business section in Tombstone Cañon, to be closed in time of flood and thus deflect storm waters from the main street. A wooden viaduct was built to the eastward of the main street and later a much more substantial "subway" carried the flood along the base of the steep hills to the westward. A statement of the minor floods that have caused inconvenience and some loss would be a recapitulation of events of the wet years. In the early days these floods almost were welcome, for they scoured the hillsides and carried away the old cans and refuse that at times had disagreeable prominence in the local landscape. In a flood in the summer of 1908 there swept down thousands of tons of earth from the western hillside, a part of the debris bursting into the local postoffice, burying fixtures and mail many feet deep.

RIOTS AT CANANEA

Bisbee was deeply concerned early in June, 1906, over trouble at Cananea that involved danger to hundreds of Americans, many of them prior residents of Arizona towns along the border. Several thousand Mexican miners, led by political agitators, struck for higher wages and terrorized the camp. A mob of 1,000 marched down from Ronquillo, the smelter town, to the American settlement on the mesa and killed the Metcalf brothers, managers of the company lumber yards, thereafter firing the stored timber. Though Superintendent Kirk had hundreds of well-armed Americans in Cananea, a force of 270 Americans, nearly all from Bisbee, went to the rescue, headed by Captain Rynning of the Arizona Rangers. At Naco the Americans had a little encounter with Mexicans across the line, wholly due to misapprehension, resulting in several Mexican casualties and in the wounding of an officer of the Bisbee Y. M. C. A. The Americans were met at the line by Governor Ysabal, who invited them

SANTA CRUZ COUNTY COURTHOUSE, NOGALES

The dome is decorated with Arizona virgin gold, of which considerable quantities have been found in the vicinity of Nogales

across "as individuals," on this ground later defending his action before the Mexican national authorities. It is not improbable that his action is wholly due to the fact that the Americans would have come over anyhow, invited or not. They proceeded to Cananea where conditions were found not nearly as serious as had been reported and returned within a few hours, without firing a shot.

Only five Americans were killed at Cananea in the fighting, but the casualties were heavy on the Mexican side. Governor Ysabal reported the names of twenty-three Mexicans who had died, but it is claimed that no less than twenty-six were killed in a single charge made by the Mexicans on a hillside where 100 American miners had intrenched themselves. General Luis Torres and Colonel Kosterlitsky were promptly on the ground with rurales and troops and shared in the forced pacification of the camp.

A CITY OF QUICKEST GROWTH

At Douglas the first townsite location was made in August, 1900, by Alfred Paul, Park Whitney, C. A. Overlock and J. A. Brock, who had had information that several Phelps-Dodge representatives had been looking over the ground, apparently determining upon a location for the long-projected Copper Queen smelter. This information proved true, and the quartet beat the Phelps-Dodge Company in the race to the land office. The location first was homesteaded and later paid for with land scrip. All interests afterwards were conjoined in the International Land & Improvement Company. Lots went on the market in March, 1901, a couple of months after the Arizona Southeastern Railroad came. The branch to Nacozari was started about the same time. The postoffice was established that summer, with Overlock as postmaster, he represented, however, by Renwick White, who struggled through the first years of the marvelous growth of the town. Business lots at first sold for from $150 to $300; now are worth up to $15,000. The town was incorporated in 1904, with Overlock as mayor.

On the whole Douglas has had a rather peaceful existence, latterly broken by the border troubles of the Mexicans, wherein bullets for days were showered across the line and where Mexican battles, seen through field glasses, furnished a dangerous diversion for the American populace.

Willcox, which started as a cattle shipping point and as the forwarding station for Fort Grant and Globe, now ranks as an agricultural center, fed by the products of hundreds of land holdings in the Sulphur Springs Valley, a district favored by plentiful underground water. A reward offered by the Legislature of 1875 for the first artesian well was paid in 1883 to W. J. Sanderson of Sulphur Springs Valley, who found flowing water at slight depth. Even a better artesian development has been made at San Simon, near the New Mexican line, where the wells are much deeper. The San Pedro Valley of Cochise County was cultivated around Spanish haciendas many years ago and had permanent American settlement as early as 1865. Latterly the valley above Benson has been peopled mainly by industrious Mormon farmers. Bowie, near the old Fort Bowie, at first was a small Mexican settlement, said to have borne the name of Tres Cebollas (Three Onions), following the first trade made on the site of the village, now the junction point of the Globe branch of the Southern Pacific. Naco, on the border, forwarding point for Cananea, was not named after

Nacozari, as would seem apparent. The name is a combination of the last two letters in the words "Arizona" and "Mexico."

In 1909 there was general expectation that in the Courtland-Gleeson district was about to arise a second Bisbee. With this impression the Southern Pacific and the El Paso & Southwestern systems both made haste to enter Courtland, the former from Cochise on the north and the latter from Douglas. There was the usual clash of conflicting railroad interests with regard to rights-of-way and crossings. Courtland had two townsites and boomed for a while in a manner pleasing to real estate dealers, but eventually declined with the mines. The two railroads, with Pearce as the only important point on either line, now serve principally as a shortcut connection between the main lines of the rival systems. At the start, in February, 1909, Courtland was a lively place and at the townsite lot sale the line of would-be purchasers was several blocks long and in it leading places were sold for as high as $200. Some within the line had stood all night. Two local newspapers were distributed on the day of the sale. The first Sabbath of the new town was celebrated by a terrific gale that blew down most of the tents and sheet-iron structures that had been erected.

NOGALES ON THE BORDER

Nogales as a town is a comparatively late settlement, dating back only to about October, 1882, to about the time of the arrival of the New Mexico & Arizona Railroad, built from Benson southwest. The railroad company intended to have its division terminus at Calabasas, a few miles northward, but the Mexican government decreed that all trains should start at the international boundary. So the railroad, a Santa Fé annex, perforce had to move its division terminus to the line.

There was a town on the line when the railroad came. It comprised two rows of tents and had been named Isaacville, after the keeper of one of the saloons. There were rough days around the time of construction, with a population that contained desperadoes from both sides of the line in rather undue proportion. Sentiment changed when tents were displaced by good buildings and the rough element disappeared. When Nogales was founded it was under a clouded title, its land claimed as a part of the Camou-Elias land grant. It was later shown by Engineer Henry O. Flipper, an expert on Spanish titles, that this grant did not come as far south as the international line and in 1896 a Supreme Court decision found the Camou claims invalid. So the title doubly was made good and Mayor Overton, as trustee, soon was able to issue deeds.

Capt. L. W. Mix, later the honored mayor of the town, was one of the very first residents. His first visit was in October, 1882, while en route from San Francisco to Sonora. The Sonora Railroad had been built from Guaymas northward almost as far as Nogales and from the north the Benson road had been completed to the line. The engineer in charge of the construction work of the Sonora road was Thos. J. Morley, whose name now is borne by the principal business street of Nogales. Mrs. Morley drove the final spike, one of silver, October 29. At that time the border town was only a camp; the railroad station was a box car. There was one adobe building at the very edge of the territorial line, built by D. Snyder. All other buildings were either frame "shacks" or

INTERNATIONAL LINE AT NOGALES
Boundary line between United States and Mexico

tents. The town grew fast as soon as it was understood that it was to be a division point.

One of the early buildings was that erected by John T. Brickwood, along the international line. When the final boundary survey was made by a joint American-Mexican army party, it became necessary to cut a niche in the south wall of Brickwood's structure to permit placing of a line monument. Several times thereafter, fugitives chased by Mexican police found sanctuary in this same niche, though with only a blank wall behind them.

Brickwood had an international sort of business house. His bar was in Arizona, but all cigars were sold in Mexico. Across the sidewalk to the southward, on an awning post, was a large locker. When a customer wanted a cigar or a few cigars, he and the barkeeper stepped out of the south door into Mexico, where the cigars were sold and the payment of tariff thus avoided. Later this happy custom had to be eliminated, for a clear space sixty feet from the international line was opened through the town at the instance of both governments, to discourage smuggling.

Arizona was made a separate customs district in 1892, with headquarters at Nogales, under George Christ, collector. The office of collector of customs at Nogales has had an unhappy history. Several collectors were dropped under charges, while Collectors Doan and McCord died in office. McCord was succeeded by Con O'Keefe, a well-known Arizonan, who held office until succeeded in the latest democratic administration by Chas. E. Hardy.

Con O'Keefe in early days was a prospector and then a storekeeper, until he amassed wealth through the sale of mines. Of O'Keefe old timers love to tell that he was the only man ever known who succeeded in "deadheading" live stock on an Arizona railroad. O'Keefe and a partner, on their way to Jerome, wanted to get from Benson to Maricopa without making the journey on foot. Cash they had none and they were further handicapped by the possession of a burro, one most highly esteemed by both. So they found an empty freight car on an eastbound train and into it introduced not only themselves but the burro. They were discovered somewhere west of Tucson by a train crew that could take a joke. As a result, the trio rode through to Maricopa, where the trainmen helped in building a little bridge of railroad ties, that the burro might safely be landed.

An ugly bank failure was that of the Nogales International Bank in January, 1904. Though the receiver found that $200,000 had been deposited, mainly by local residents, in the vaults were only $40 in American money and $396 in Mexican money. The greater part of the money appeared to have been loaned to officers of the bank who had screened themselves by the organization of other companies, which appeared as debtors. The items chargeable to the management aggregated $117,773. There was intense excitement within the town over the report of the looting and three of the officials were placed in jail for a time. John Dessart, president of the bank, was adjudged insane and transferred to the territorial asylum at Phœnix. Cashier Swain, released on bonds, fled to South America.

WARLIKE CONDITIONS ON THE LINE

Nogales ever since her establishment has realized much profit from her position on the border, which gave her exceptional advantages for trade with the

rich Mexican State of Sonora. Business was sadly disturbed, however, at the beginning of the revolution that followed the deposition of President Porfirio Diaz. Several times Mexican revolutionary factions carried the war into the very streets of the Mexican Town of Nogales, with bullets whistling far over into the northern settlement.

Nogales again saw warlike conditions, the culmination of a period of disorder that had continued on the Mexican side through the years from 1911 to 1916. The town was one of the important border points to be garrisoned by the United States, which at times had as many as 4,000 soldiery there stationed. The culminating scenes, in so far as they affected Nogales, have been described by Mr. Bracy Curtis, a Nogales banker:

Many incidents occurred to disturb the peace and to endanger the lives of the inhabitants near the line. Necessity for a demand that the United States boundary territory be respected came on November 26, 1915, about 10 o'clock a. m. when Col. Wm. H. Sage, in command of the Twelfth U. S. Infantry, gave the order to return the fire of Villa soldiers who were just about to evacuate Nogales, Sonora, Mexico.

The efficiency, courage and discipline of the United States army was a marvel to civilians. Privates were ordered to take prone positions on International Street, facing Mexico, ready for action, awaiting the offensive from the Mexican side of the line. Col. Wm. H. Sage and his officers unflinchingly remained in a standing position back of their men, giving commands and instructing the men to pick only those firing or attempting to fire on Americans from Mexico, and to take due care to shoot no bystanders nor noncombatants, while American sharpshooters were placed on building tops on the lookout for snipers.

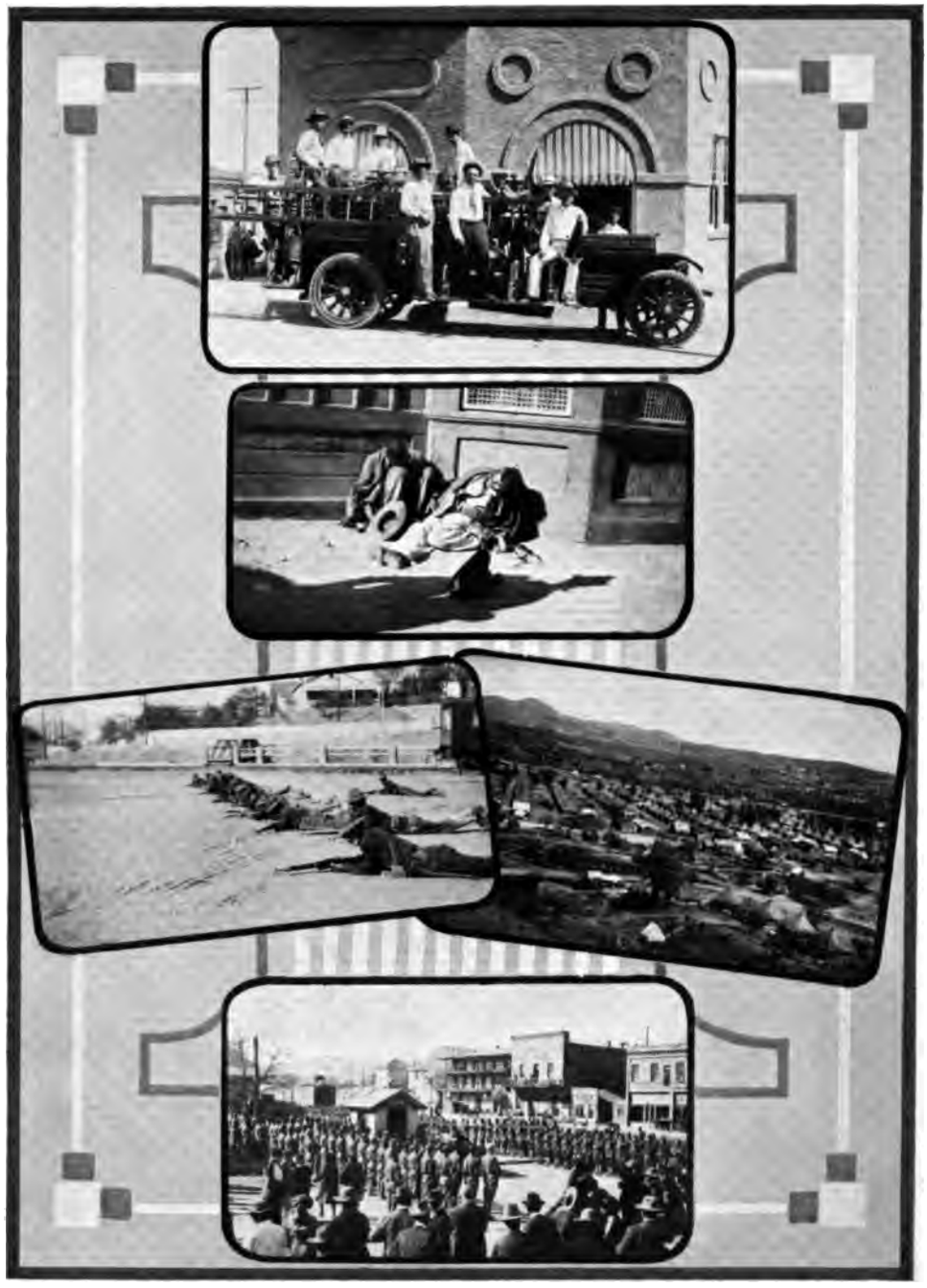
A vigorous fire continued for about thirty minutes. The American army demonstrated wonderful marksmanship, for not a single noncombatant, woman or child on the Mexican side of the line had been shot.

One remarkable incident was in the case of a Villa officer. He was with two women, apparently members of his family, who were using every effort to prevent him from shooting, but in the struggle he succeeded in raising his rifle to his shoulder and fired the signal shot and his comrades continued the fire. Some American soldiers dropped him immediately. The two women by his side remained uninjured, and this same care and accuracy followed through the whole battle. During the heaviest of the fire the Carranza-Obregon forces, opposing the Villa faction, appeared from the east and west from over the hills surrounding Nogales, Sonora. Those coming from the west, not recognizing the American soldiers, opened fire on them, killing one and wounding two. The fire was returned with heavy effect, but as soon as the mistake was discovered firing ceased. Gen. Obregon and Col. Sage met on the international line and proper apologies and salutations were extended. Since then all has been peaceful on the line.

As a result of the fire returned by the Villistas soldiers, Private Stephen Little of Company L, Twelfth Infantry, whose home was in Fairmont, N. C., was killed, and two men were wounded. The death toll on the Mexican side was estimated from seventy-five to one hundred. The sequence was that the Villistas, who have cast slurs and insults at the President of the United States, the United States army and Americans in general, were taught to have a wholesome respect for the United States army and United States citizenship.

ASPIRATIONS OF CALABASAS

Calabasas in 1864 was found by Browne "a fine old ranch" abandoned by Señor Gandara, a former governor of Sonora, who was met by Browne and Poston on their journey into Arizona. He had a small party, mounted on mules and burros, and was making his way to California, almost destitute, driven out by an adverse political faction. The Calabasas ranch about that time was occupied by a stout-hearted frontiersman, James Pennington, with a family of five sons and daughters, who helped their father, rifle in hand, to guard their



Ready to fight fire

Deadly American bullets

Deployed against Villistas

Twelfth Infantry Camp

Funeral of a soldier killed in action

NOGALES IN WAR TIME—1915

homestead and their fields against the frequent incursions of the Apaches. Pennington stubbornly refused to leave the country—said he had as much right to it as the infernal Indians and said he would live there in spite of all the devils out of hell. One of the daughters, Mrs. Page, lived after an experience in which she was the only survivor of a party ambushed by Indians, finally rescued by whites after sixteen days of hiding in the hills, subsisting on roots and berries. Pennington moved to Tucson where one of the principal streets later was named after him. Browne describes him as a man eccentric, yet of excellent sense, large and tall, with a large face and athletic frame. He and a son were killed by Apaches near Crittenden in 1869.

Calabasas originally was a Mexican military post with well-built houses of stone and adobe. In 1856-57 it was occupied for about a year by a squadron of the First Dragoons under Major Steen. Fort Mason, of Civil War days, was a short distance south of Calabasas.

About the time of the railroad's coming, Calabasas had great hopes. What was considered a large hotel was erected, a townsite was laid off and advertising matter was scattered far and wide. Especially is remembered an elaborate pamphlet on which was an illustration of the townsite of Calabasas, filled with large business blocks, where in reality only was a brushwood thicket. At the foot of the slope flowed a lordly river, the Santa Cruz, bearing majestic steamboats upon its tide. It is to be noted also that the prospectus indicated that the river outlined upon the map flowed southward into the Gulf of California, instead of the northward to sink into desert sands. The boom of Calabasas was short-lived and Nogales (Sp.—walnuts) sprang into being near the site of the old Spanish rancho and presidio of Los Nogales.

GLOBE AND MIAMI EXPERIENCES

The first white settlement of Gila County was a tent colony of miners at the Ramboz silver claims, ten miles north of Globe. It cost 25 cents for each letter brought up from San Carlos by Indian runners, to be delivered from a volunteer sort of postoffice.

The first house in Globe was built in the summer of 1876 of adobe, by Robert Metcalfe and Chas. M. Shannon, who are better known in the Clifton country. There their names are preserved in the Town of Metcalfe and in the nearby Shannon Hill, wherefrom the Shannon Mining Company draws its ore. Dr. T. C. Stallo had the first store, in a tent near the hangman's tree, but the first real merchandising establishment of the camp was started in the early fall in the Metcalfe-Shannon house by A. M. Pierce. "Billy" Ransom, still a resident of the camp, tells a story that the early merchants, lacking authority for the sale of liquor, evolved a scheme for selling potatoes at a dollar apiece. To the purchaser of two went a flask of whiskey as a gift. But saloons never were long coming in an Arizona mining camp.

Among the early business men were S. Klein, J. J. Vosburg, Morrill & Ketchum (later succeeded by E. F. Kellner), W. S. Duryea, D. J. Webster, W. Fred Westmeyer, G. S. Van Wagenen, Harley Hitchcock, E. O. Kennedy, Jack Eaton and Alonzo Bailey (the firm of Eaton & Bailey now is the Old Dominion Commercial Company), Dr. S. C. Heineman, B. G. Fox, Al Kinney, M. W. Bremen, Dave Henderson and the Pascoe brothers.

"Jerry" Vosburg, later express agent and now a Los Angeles capitalist, was the first postmaster, with his office in Klein's store. By 1881 a schoolhouse had been built in the southern part of the camp, placed in charge of a highly-educated, typical Irishman named McGinnis, who enforced discipline with a heavy hand. Elsewhere in this volume will be found details of the camp's Indian experiences and of the lynching of 1882, while its mines have been given separate mention.

Globe's first editor, Judge Aaron H. Hackney, died in December, 1899. For twenty years he had not been beyond the town limits of Globe and since 1857 he had been on the frontier, most of the time in Southern New Mexico, where he long was associated in business with Stephen J. Elkins. In the fall of 1899 Judge Hackney had retired, at the age of 84, from his management of the Silver Belt.

Globe was regularly incorporated in May, 1900, though there had been organization before that date. In the mayor's chair was placed Geo. W. P. Hunt, already thrice representative of his county in the Territorial Legislature and later to occupy the high position of first governor of the State of Arizona.

June 9, 1894, Globe was swept by a fire that wiped out almost every business house along the main street. In July, 1901, again was a destructive fire, after the fire department had disbanded for lack of support and following a temporary disincorporation of the town.

In August, 1904, a cloudburst swept Pinal Creek and did much damage, six residents being drowned at a point where the water was backed up by the slag dump of the Old Dominion Company. A number of buildings were floated down the torrential stream and much of the Gila Valley Railroad grade was torn away.

Early in the '90s Globe had much labor trouble. A body of miners marched to the office of Superintendent Parnall of the Old Dominion Company and threatened to hang him unless he rescinded some small administrative regulation. Parnall resigned soon after, stating that his position had no further interest when he found he had about 400 superiors. There was a deal of boycotting also and everybody found with a copy of the local newspaper was fined $2.50 a week. The troubles continued for a number of years. One bright light was the action of Sheriff J. H. Thompson ("Rim Rock"), who stopped a socialist procession on the main street and at the point of a revolver compelled the elimination of a red flag. As a general result, the Old Dominion Copper Company closed down its mines on several occasions merely in order to demonstrate its own right to handle its own property. Globe for most of its history has been a stronghold of the miners' union. This organization in 1901 was especially interested in pushing an eight-hour bill in the Legislature wherein a Globe representative was Wm. H. Beard, who failed to vote for the measure. Beard on his return was seized by his neighbors and ridden out of town on a rail. When released he secured a brace of revolvers and then proceeded to march down the main street, in picturesque language defying the community.

The Old Dominion mine closed down in the latter part of January, 1909, following the action of a walking delegate who entered the shaft house and pulled a non-union miner from the cage as it was about to drop with him to his station. The other large mines of the camp joined in a silent protest and about 2000 men were paid off. The matter was a most serious one, for within the town the mer-

GILA COUNTY COURTHOUSE, GLOBE

chants had feared just such a result. The walking delegate finally was sent out of camp, an action considered as sustaining the views held by the mining companies, who thereupon resumed work.

In January of 1915, at Miami, about 1600 miners and building trades employees of three corporations went on strike. The trouble was of short duration, the men going back on assurance that wages would be raised in the near future. This was done about the same time that a general raise of wages was made by the copper producing corporations of Arizona, on the basis of a rise in the value of their product.

The Miami townsite was purchased in November, 1908, by Cleve W. VanDyke, who had come from laying out the townsite of Warren, near Bisbee, and the building of the Warren electric railway. He sold a lot in December to John H. Fitzpatrick, though the formal opening of the townsite did not occur till October 11, 1909. Fitzpatrick built the first house of the new town, of concrete, for which the water used in construction had to be hauled from miles away and cost 50 cents a barrel.

CHAPTER XLIX

SOUTHERN ARIZONA PIONEERS

Chas. D. Poston—Wm. H. Kirkland—Peter R. Brady—Fritz Contzen—Estevan Ochoa—Samuel Hughes—Thomas Hughes—L. C. Hughes—S. R. DeLong—J. B. Allen—Fred G. Hughes—C. B. Stocking—R. N. Leatherwood—S. H. Drachman—E. N. Fish—I. S. Mansfeld—W. C. Greene—Col. Kosterlitsky—Pauline Cushman—Pioneer Society.

Within the third volume of this work will be found a wealth of biography, from which can be learned much more of the personal features of life in Arizona within the past forty years than has been set forth in preceding pages. It has been the editor's good fortune to have known many of these pioneers, most of them now passed away. They came to Arizona when it possessed few features that would make a land habitable and when rare pluck was needed to sustain life against adverse conditions of nature and of humanity. No saints were to be found among these men, yet even their lives were at the disposal of a friend, or even of the stranger who might be beset by savages on the road. Often arose questions why they came and why they remained. It is probable that few of them appreciated a fact now undisputed, that there had arisen in their breasts a love for the country itself, with a relative degree of contentment that could not have been reached elsewhere. Of the work and character of some of these pioneers it has been thought well worth while to present a few notes. It is not to be expected that these will be found more than fragmentary in themselves or that they will cover omissions in personal reference heretofore made. The names mainly are of people personally known to the writer and their selection has been made almost casually, generally suggested in the consideration of events dealt with heretofore.

POSTON, "THE FATHER OF ARIZONA"

Most notable among the pioneers of the Southwest was Charles D. Poston, to whom in later years came the enduring title of "Father of Arizona." His life was full of official honor and activity. His mental endowment, education and training all contributed to place him high among his fellow men. He was industrious in forwarding his own ambitions. His service to the territory had been acknowledged by legislative resolutions and by the granting even of a pension. Yet his death, June 24, 1902, in Phœnix, was on the floor of an adobe hut, wherein he had lived for several years, solitary and under most squalid conditions. His burial was at the expense of a number of friends, all of them

Arizona pioneers. His body lies in the cemetery at Phœnix where the Daughters of the American Revolution in 1906 erected a small headstone.

Poston was born in Hardin County, Kentucky, April 20, 1825. Orphaned at 12 years of age, he was reared by relatives. He studied law and was admitted to practice at Nashville and also practiced at Washington. Some time after the acquisition of California, he went to San Francisco to employment as a custom house clerk. His advent in the Southwest was in 1854, leading a company of thirty men for exploration. The party landed at Navachista in January of that year and journeyed through upper Sonora and through Arizona south of the Gila to Fort Yuma. With specimens of the mineral wealth he had found he returned to California and thence went by way of the Isthmus to New York, Kentucky and Washington, where he spent the following year enlisting the support of capital.

In 1856, backed by an organized company, he entered Arizona again from the east with a party largely German in constitution, and started mining near Tubac. In 1857 he was relieved of his position as manager by General Heintzelman and was transferred to the company's office in New York. He was back again in Arizona later in charge of the company's business, and he was serving as recorder for Doña Ana County, New Mexico, which county then embraced all of lower Arizona. For a part of that time Tubac had a newspaper to which Poston was a contributor. He had to flee for his life, however, together with Prof. R. Pumpelly and a number of American miners, when troops were withdrawn and Mexicans and Apaches alike descended upon the undefended mining camps. During the Civil war he served for a while as volunteer aid to his old friend, General Heintzelman, though his military title merely was one of courtesy.

Poston was very active in the work leading up to the organization of the new Territory of Arizona in 1863. Those men who secured the offices in the new subdivision seem to have been the ones who had helped most in putting through the congressional act of establishment. He did not enter Arizona with the official party, however. He went overland to San Francisco by the northern stage route and thence, in company with J. Ross Browne, made his way into the new territory through Yuma. According to Browne, Poston knew every foot of the country, talked Spanish like a native, believed in the people and climate, had full faith in the silver, implicitly relied upon the gold and never doubted that Arizona was the grand diamond in the rough; withal he talked and acted like a man perfectly sane. He admitted, however, that while Arizona was prolific in reptiles and the precious metals, it was painfully destitute of everything for the convenience of civilized man.

His services as Indian commissioner were short, for at the first election he was chosen delegate to Congress and forthwith departed for his field of duty at Washington, taking the Panama route, with a mileage charge of $7,000. That he had accomplished something is indicated by the fact that the First Legislature tendered its thanks to him "for the earnest, able and efficient manner in which he has discharged the duties of superintendent of Indians." No record is at hand of Poston's service as delegate, but it would appear that he did not view with equanimity his retirement from Congress.

Late in 1866, the Legislature passed a concurrent resolution reciting that information had been received that "Hon. Chas. D. Poston, late delegate to Congress from this territory, has circulated in Washington a report that Hon. John N. Goodwin, delegate-elect to Congress from this territory, was elected through fraud and misrepresentation and that said Hon. Chas. D. Poston has further announced his determination to contest the seat of Hon. John N. Goodwin in Congress upon grounds as aforesaid." The Legislature thereupon formally declared "That we firmly believe the election of Hon. John N. Goodwin to have been, in all respects, regular, and that he was honestly and fairly elected by a majority of all the legal votes case in this territory, for delegate, and that no fraud or undue influences were used by said Hon. John N. Goodwin, or his friends, to procure such election; that we regret exceedingly, and must condemn without reserve, as most detrimental to our interests, the position taken by said Hon. Chas. D. Poston, having, as we conceive it does, a direct tendency to place Hon. John N. Goodwin, our delegate, in a false position before Congress, lessening his influence therein."

Poston himself, in his little poetical volume, "Apache Land," thus made reference to a subsequent failure, when he ran for delegate against Governor McCormick:

The Tucson people were quite elate,
They'd swapped the capital for a delegate;
All for this exalted honor itch,
And would swap the devil for a witch;
The governor has this condition,
He signs the delegate's commission,
And for the honor and the pelf,
He always signs it for himself.
The Washington folks here might learn
Advantage of the count to turn.

After his reluctant retirement from office he visited Europe, saw the Paris Exposition in 1867 and wrote a book called "Europe in the Summertime." Returning to Washington he reentered the practice of law.

Poston dropped into official position again about the time of the Burlingame Treaty with China and was commissioned by Secretary of State Seward to visit Asia to study irrigation and to bear dispatches from the Chinese Embassy to the Emperor of China. On his voyage across the Pacific he was a member of the party of his old friend J. Ross Browne, who had been appointed Minister to China. On this trip Poston visited many countries of the Far East and therein found much to his liking. In India he gained a smattering of Brahminism that continued in his thoughts for the rest of his life, and his writings thereafter preferably turned toward the oriental rather than covering the Arizona field, in which his information was so valuable. When he returned to Arizona it was to again hold public office, to be register of the Arizona Land Office at Florence.

He interested himself in a study of the remains of the ancient races, evolving a theory that they were sun worshippers, a cult toward which he, for the time being, rather inclined. Across the river from Florence is a round hill to this day known as Poston Butte. Around and up this hill at considerable personal expense in 1878 Poston built a wagon road. Upon the summit, where he raised

a sun flag, it was his dream to erect a temple where the deity should be worshipped with solemnity on the uprising of the sun, a glorious manifestation of celestial omnipotence. Financially he was hardly able to do more than build the road, so, to secure the necessary funds, Poston wrote a lengthy letter to the Shah of Persia, reciting all the alleged facts he had secured concerning the ancient races and urging upon the monarch the religious duty and high advisability of reestablishing on the Western Continent the faith of Zoroaster, after the years of darkness that had followed the suppression of the sun cult as found by the Spaniards. It is told that the Shah, through diplomatic channels, extended to Colonel Poston his felicitations and best wishes, but no money was returned; and now the road is only a ruin, like the rough stone watch tower on the summit that had given Poston his idea. It was Poston's wish that he be buried on the summit of this butte and possibly a sentimental State Legislature some day may make provision for this and for the erection thereon as well of a memorial shaft wherefrom may be reflected to the people below the first rays of the rising sun.

He wrote in rather bitter strain concerning his official position, which paid only $500 a year, "a recompense for my arduous pioneering and the loss of an ample estate by confiscation and robbery." He had an extra allowance of $100 a year for contingent expenses and rent, but acknowledges that there was little or no business in the office. So he filled in his time at Florence by the writing of an allegorical sort of work in verse entitled "Apache Land," published in San Francisco in 1878. By no means was it his best work, but it is valuable today as giving an outline of his travels and explorations, both in the Southwest and the Orient. For a number of years later he retained official position, though in a modest way, serving as consular agent at Nogales, Mexico, and as governmental agent at El Paso. In May, 1882, in Tucson, irritated by newspaper attacks upon him, he fired a pistol shot at J. A. Whitmore, editor of the Tucson Citizen, fortunately missing his mark.

He returned to Washington, where for five years he had some connection with the Interior Department, again coming back to Arizona as agent of the Agricultural Bureau, with station at Phœnix. This employment ceased and Poston practically was destitute for a time, till by the Twentieth Legislature he was granted a pension of $25 a month, later increased to $35. The pension bill recited at length Poston's personal history and acknowledged a sense of gratitude for his services to the Southwest, telling that in pioneer times he had been pre-eminently the moving spirit and "in fact may be truly said to be the Father of Arizona." He was the second Arizona pensioner, the first having been John Dobbs, a wounded Indian fighter. His mind was active to the very last and he was a valued contributor to the Phœnix newspapers. From the old Lemon Hotel he moved to the place wherein he died, on Monroe Street, near Second, his dilapidated domicile marked by an old Mexican molino, a stone handmill, that later decorated the entrance to the territorial capitol.

Colonel Poston was married twice. His first wife died early. For a while his sole support was from a daughter, the wife of Lieut.-Col. B. F. Pope, of the United States Medical Corps. Colonel Pope died in the Philippines. His wife started back with the body and died on the ocean. The second marriage, at American Flag, about 1881, was to Miss Mattie Tucker, daughter of a pioneer

Arizona family resident near Phœnix. This marriage, with material disparity of ages, did not seem to have been successful, for Mrs. Poston left her husband very soon.

His stories were not freely told, yet were many. A favorite topic was his reign as alcalde of Tubac, wherein he had control of a half-dozen Americans and of hundreds of Mexican miners. He tried to better the condition of his people in every way possible, but found his task rather a hard one owing to the natural thriftlessness of the Mexican. On one point he was scandalized. Practically none of the Mexican couples within the camp had been legally married. The tale continued:

> There was no priest nearer than Altar, and you know that love-making proceeds as merrily in the wildest desert as in the most romantic vale. Though self-appointed as head of the civil government, I proceeded to exercise magisterial functions and formally wedded all couples who presented themselves. This proceeding became popular, for I charged no fee and gave the bride five silver dollars as a dot. So all was merry, and among the many dirty and almost naked urchins that played on the thoroughfares of the little pueblo there were many that had been named or renamed in honor of me. Later there came the reaction. I had intruded my American ideas into Mexican customs and had to stand the consequences. I was met with scowls and curses instead of smiles. A priest had arrived, had learned of the matrimonial peculiarities of the camp and immediately had excommunicated the whole bunch from the offices of the church. The women particularly were wild. I squared it, though it cost me about five hundred dollars. I had the priest remarry them and topped it all off with a holiday and with a grand baile in honor of the happy brides and grooms, not excluding their children.

To the day of his death Poston was ever cheerful and hopeful, ever seeing the silver lining of the blackest cloud and ever looking forward to the day when riches and prosperity would smile upon him in the fullest. Rarely did he yield to any captious criticism of his fellow men and his writings generally had his own personal note of optimism. His spare time, and he had much of it, was spent largely in writing poetry for publication or for his own entertainment. So much of his work was poetical, it is felt that this review of his life would hardly be complete if no perpetuity was given to what is considered to have been one of his sweetest songs, "The Syrian Dove," with particular reference to the "palomita" of Sonora and Arizona:

> The dove of the ark was fleet of wing,
> But the Syrian dove is the one to sing;
> 'Tis as sweet on the limb of a cotton-wood tree,
> As it was on the banks of the deep Galilee
> When Jesus walked on the waters there
> And led the Apostles in holy prayer.
>
> How came you hither, my sweet coo-coo?
> And how did you cross the ocean blue?
> Did you perch on top of the Pinta's mast,
> When Columbus sailed on his ocean task?
> Or came you away from the old world's fret
> On the Mayflower, hid in the Pilgrim's net?

Where'er you are found, my sweet coo-coo,
It is sure that love will be found there, too;
For as breath departed from the paraclete,
It entered the body of the dove so sweet—
Which sings on the Jordan, sings on the Nile,
And sings on the Santa Cruz erewhile.

The coo of the turtle is heard in the spring,
Whenever the voices of nature sing—
On the earth, in the trees, in the ambient air,
The voice of the turtle makes the world more fair,
For its song has forever one refrain,
And that is that springtime will come again.

The dove of the ark brings the olive leaf,
As a gage of peace in its dainty teeth;
As a pledge that the world shall be drowned no more.
But the Syrian dove from another shore,
Sings a song in the springtime far more sweet—
'Tis the plaintive voice of the paraclete.

WILLIAM H. KIRKLAND

One of the most interesting of the pioneers was Wm. H. Kirkland, distinguished as the American who raised the first American flag in Arizona, at the time Tucson was abandoned by Mexican troops. He died in Winkelman, Arizona, in January, 1911, aged 78. According to a writer in the Prescott Journal-Miner, in 1907:

Of all his acts or experiences in the territory, which he first entered in 1854, he is proudest of the fact that he was the man who raised the first Old Glory to the skies in Arizona, on the occasion of the evacuation of Tucson by the Mexican troops, February 20, 1856. Before the Mexican troops marched out of the town on that memorable occasion, after the Gadsden Purchase, he climbed to the roof of one of the adobe buildings and floated to the breeze a flag given him by an ex-government teamster, who had it securely hidden away in the mess box for many years. The officer in command of the Mexican troops objected to the Americans flying their flag until he had his men out of the town, but despite his protestations the seventeen sturdy Americans present refused to pull it down. He was the first settler in Kirkland Valley, which bears his name, and in his career has assisted in laying out the towns of Tempe and Safford, besides naming Solomonville. He was the first man to raise a barley crop in Yavapai County, on the place now owned by Grant Carter, in the Kirkland Valley, but he says that while the crop was a great success he secured no benefit from it, as the Indians, who were monarchs of all they surveyed at the time, harvested his crop for themselves, and drove away with them twenty-three head of his pack animals. He was assisted in building at Kirkland the first water wheel for an arastra ever seen in this part of the territory by Joseph Ehle.

Kirkland, a Virginian by birth, arrived in Tucson January 17, 1856. The following year he stocked the Canoa Ranch, forty miles south of Tucson, with 200 cows he had bought in Mexico. This herd he claimed was the first ever brought into Arizona by any white man not of Spanish ancestry. According to a Tucson authority, he married in 1859, the bride a Miss Bacon, who had started from the East with her parents for California. This was the first American marriage in Tucson. February 28, 1861, was the birth of a daughter, now Mrs. Thomas Steele, the first American child born in Tucson

PETER R. BRADY

Peter R. Brady, who died in Tucson in 1902, aged 77, was one of the distinguished pioneers of the Southwest. In his youth, he had been appointed from his home City of Washington to the position of midshipman in the navy. In 1845, seeking adventure he went to Texas, where in 1846 he joined Capt. W. P. Crump's Company of Texas Rangers, serving on the boundary until the close of the Mexican war, thereafter living for several years in Jalisco, Mexico. Returning to Texas, he served again in the rangers until 1853, when he started to Arizona in the expedition of Col. A. B. Gray on the survey of the first Pacific railroad. In July, 1854, he organized in San Francisco the first mining company to operate in Arizona, the same which took possession of Ajo mine near the Mexican border. For a number of terms he served in the Arizona Legislative Council. Personally, Brady was one of the most companionable of men, fortunate being those who have heard him tell of his experiences on the frontier when connected with the Arizona Mining and Trading Company.

FRITZ CONTZEN

Dating back to 1855 was the Arizona experience of Fritz Contzen, who died at his home in Tucson in May, 1909. He was a German by birth, but had been in Texas a number of years. He joined one of the surveying parties of the United States Boundary Commission, which was running a new line between the United States and Mexico. For a while he had been a member of "Big Foot" Wallace's ranger company, in which Peter R. Brady was also interested. When Contzen came to Arizona Pete Kitchen was found in the upper Santa Cruz Valley and there were some Germans at Calabazas and Tubac, while at Fort Yuma he met Solomon Warner, who later became a merchant of Tucson. A brother, Julius Contzen, had come to Arizona a year before with Henry Ehrenberg. The brothers in 1855, while on their way to Hermosillo to buy supplies, were attacked by Apaches, of whom they killed not less than twelve; however, at the expense of severe wounds to themselves and the loss of three horses and equipment. With them were a couple of Papagoes, who did good service in bringing out a strong party of men from Imuris and saving the beleagured men. Less than two years later Julius died at San Xavier of the effect of his wounds. Another Indian experience was when the Indians in 1861 drove all his cattle from his ranch at Punta de Agua, three miles south of San Xavier. With him at the time was Bill Kirkland.

ESTEVAN OCHOA

Estevan Ochoa, though a Mexican by birth, became an American citizen of whom Americans were proud. When the Confederate column arrived in Tucson, one of the first acts of the commanding officer was to send for Ochoa, who had been reported to him as a Yankee sympathizer of a pernicious sort. The merchant was informed curtly that the Confederates had come to stay and that Ochoa was expected to take the oath of allegiance to the Confederacy and that in default of so doing he could expect exile for himself and confiscation of his property. Ochoa was courteous in his reply, but positive. He stated that his property and life he considered at the disposition of the Federal Government, from which he had received many favors. So he was allowed to take

one of his own horses, with saddlebags, rifle and ammunition and was escorted out of the pueblo with his face pointed toward the east. Through the Apache-infested country he made his way safely 250 miles to a Union post on the Rio Grande. When the Union troops came back, Don Estevan was with them with added prestige. He soon regained a degree of wealth, though later heavily stricken by both Apaches and an approaching civilization for which he was not prepared. The Indians drove off all the draft oxen of Tully, Ochoa & DeLong and the carcasses later were found where the animals had been killed and their flesh dried on a high mesa north of Salt River, that to-day bears the name of Jerked Beef Butte. His great freighting business and his stores both suffered when the railroad came and the old-time firm that had borne so large a part in pioneer days then went to the wall.

SAMUEL HUGHES

In a Welsh family of ten children, three eventually became pioneers to Southern Arizona and rose to high distinction. The first of the trio, Samuel Hughes, now ranks as the dean of Arizona pioneers. His residence dates back to 1858, when, after years of interesting personal experience, mainly in the West, he was compelled to leave Northern California to seek a milder climate. That the climate of Arizona did all that was expected is shown by the fact that he is still relatively hearty at the advanced age of 87. It is notable that he also has had a family of ten, all save one still living. He helped in the organization of Tucson and was one of the councilmen for seven years. He also served as territorial and county treasurer. He was an organizer of the Arizona Pioneers' Society and for a while was president. In Tucson he is depended upon as the locality's best historian, his wonderful memory retaining details of rare interest concerning the early days wherein he was one of the very few "Americanos."

THOMAS HUGHES

Another distinguished member of the Hughes family died November 7, 1907, Thomas Hughes, a resident of Tucson since 1868. He had been a gallant soldier in the Civil war and had been brevetted colonel of volunteers for meritorious services during the War of the Rebellion and the Indian wars of Western Kansas. For twelve years after coming to Arizona, he farmed in the Sonoita Valley, near Crittenden, and the tale of his trials and losses in that locality are to be found elsewhere in this work. In 1880, he was in Tucson, thereafter employing himself as a merchant, as territorial auditor, president of the board of trade, postmaster of Tucson and treasurer of Pima County.

LOUIS C. HUGHES

A third brother, former Governor L. C. Hughes, died at his home in Tucson November 24, 1915, aged 73. It is probable that he considered his life work well accomplished, for two things he had fought for, prohibition and woman suffrage, had been adopted in Arizona, wherein he had been their first male advocate. Following a Civil war experience as one of the volunteers from his native state, Pennsylvania, he studied law for a while, and in 1871, seeking the betterment of his health, he came to Arizona, to Tucson. Successively, he was

probate judge, ex-officio county school superintendent, district attorney, territorial attorney general, court commissioner, member of the Chicago World's Fair Commission and delegate to the democratic national conventions in 1884 and in 1892. The Arizona Star was edited and published by him for thirty years, and he took pride in the fact that he was the first president of the Arizona Press Association on its organization in 1892. He was governor for three years, from April 1, 1893. Three years before coming to Arizona, he was married in Meadville, Pennsylvania. Two children are living, State Senator John T. Hughes and Mrs. Gertrude Woodward.

SIDNEY R. DE LONG

One of the prominent men in the history of Tucson died November 29, 1914, Sidney R. DeLong, who had served as president of the Society of Arizona Pioneers, as commander of the local post of the Grand Army and as the first mayor of Tucson. He came to Arizona in 1862 as a member of the California Column, under General West. He was post trader at Fort Bowie for fifteen years and was connected with the pioneer freighting and merchandising firm of Tully & Ochoa. His connection with the Camp Grant raid is told elsewhere in this work. He served as a member of the Territorial Legislature and he served also as receiver of the land office, county supervisor, county treasurer, city councilman and superintendent of schools. Locally his best service was in 1872 as the first mayor of Tucson, when he acted as trustee in the purchase of an addition of 1,280 acres. He devoted much time to the work of the Society of Arizona Pioneers, writing a small history of Arizona and many articles of historical interest.

JOHN B. ALLEN

Among the unique features that attended the life of John B. Allen was a gift made to him and gratefully received, in April, 1899. It was a tombstone, presented him as an old customer and valued friend by Zeckendorf & Company, inscribed "John B. Allen. Born 1818. Died 1899. Territorial Treasurer six years, 1865-1871. Mayor of Tucson two terms. A man without an enemy." Allen at the time was suffering from a malignant abscess of the ear and was looking forward entirely without fear toward death that soon closed his suffering. He appreciated his novel present as the kindest testimony of esteem that could have been given, somewhat in the way of proffering flowers before the funeral.

To old timers he generally was known as "Pie Allen," with reference to the fashioning by him of some wonderful dried-apple pies when he came to Arizona, at Calabazas. He was a merchant at Tubac and also at Tombstone, but during his latter years lived in Tucson.

FRED G. HUGHES

One of the most remarkable of southwestern pioneers was Fred G. Hughes, of English birth, but of fifty years of Arizona residence. A professional faro dealer, he yet repeatedly was elected to office and ranked as a leader of his political party. In 1860 he was a member of the Ormsby expedition from Washoe, Nevada, against the Piutes, escaping from what was known as the

"Washoe Massacre," in which about sixty whites were slain. In December, 1861, he came to Arizona in the California Column. October 16, 1863, he left Fort Craig, New Mexico, in a military party that was to escort the new territorial officials. The officials being delayed, the column moved on. December 18, Hughes was left with a dozen men at the San Francisco Springs, near the site of Flagstaff, to guard a cache of supplies, while the military party went on to the Chino Valley Camp, where the first official seat of government soon after was established, which Hughes did not reach till March 1, 1864.

Five times Hughes was elected from Pima County to be a member of the Territorial Council, and in the Tenth, Sixteenth and Nineteenth sessions he further was honored by selection to the post of president of the Council. Latterly he was clerk of the board of supervisors, residing in Tucson. He was president of the Arizona Historical Society, and as such was made custodian of an appropriation of $3,000, given the society by the Legislature in 1897 for the compilation of the records on file. One night an attempt was made to burn up the courthouse in Tucson. In an investigation that followed, it was found that Clerk Hughes was far behind in his accounts and the charge was made that he had set fire to the building in order to wipe out the records of his peculations. Then it was discovered that the Historical Society's coin was gone. It had been gambled away. The Pima County supervisors, two of them old pioneer friends of Hughes, made up the shortage to the county. For the embezzlement of the society funds he was sent to the penitentiary. For a while Hughes sought to evade arrest, fleeing to Randsburg, California, and then into Mexico, but he finally surrendered himself for trial. He had many friends, who believed him simply careless and not criminal. A petition presented to the governor asking pardon was described as little short of a copy of the great register of Tucson. Hughes was paroled by Governor Murphy from the territorial penitentiary in December, 1900, and would have had liberty earlier had he not chosen to consider himself a martyr and a man unjustly restrained. His death was most tragic. At the age of 74 he had returned to the placer camp of Greaterville, of which he ranked as founder. On a September evening, while sitting in the door of his adobe house, he was struck by lightning and instantly killed. He was survived by a wife, seven daughters and three sons.

CLARK B. STOCKING

Clark B. Stocking, widely known as the "Old Guard," now, in peace, a resident of Los Angeles, came to Arizona with the California Column in the Fifth Infantry, and served five years in the Southwest. This service was unique in that most of it was spent as an express rider, carrying messages between the various army posts and commanders, usually through a country swarming with Indians, where the lone courier was in danger almost every mile. At Oatman Flat, 1862, he was a member of the detail that hewed out poles to make a fence around the graves of the Oatman family, and at Oatman also he helped to dig trenches against the expected coming of a Confederate force that later proved only a raiding party. After his southwestern experience, he became a plainsman and army scout and then a contractor, who furnished elk and antelope meat to railroad graders and secured no small fame

as a stage messenger, in one Wyoming affair killing two bandits. In 1869 he was a boss packer in the Wheeler survey in the Grand Cañon region. He appeared to travel from one danger to another, as a hunter, messenger, Leadville mine guard and as a bullion guard in Sonora. About 1880 he was in Tucson a deputy sheriff and deputy marshal, and was in one fight at Silver Lake near that city where he shot the leader of a band of four Mexican robbers and helped in the capture of the three others, the same who later, when convicts, led in the attack on Superintendent Tom Gates at Yuma and were killed by Guard Hartley. It is probable that Stocking would prefer as an epitaph, "I did my duty as I saw it."

ROBERT N. LEATHERWOOD

A noted old timer is R. N. Leatherwood, best known as "Bob" despite his honorable accumulation of years. He came to Tucson in 1869 and served variously as city councilman and mayor, county treasurer, twelve years as sheriff, three times as member of the Legislature. He was a member of the company that built the gravity water supply for Tucson in 1883 and served as superintendent of the Arizona exhibit of the St. Louis Fair.

SAMUEL H. DRACHMAN

Samuel H. Drachman died in Tucson in December, 1911, after residence in that city since 1867. For thirty years he had been in the tobacco business, but when he first came, an immigrant from Russia, he cut hay, for sale to the Government, within the present corporate limits of Tucson.

EDWARD N. FISH

Edward N. Fish died at his home in Tucson, December 19, 1914, aged 87. He came to Arizona in 1864, entered into business at Tubac and other points as a member of the firm of Fish & Garrison. He started a mercantile business in Tucson in 1877, at times making large profits and again losing much on account of Indians. In 1874 he was married to Miss Maria Wakefield, who was the second American woman to teach a public school in Arizona, and who came to Tucson in 1873 from Sacramento, California.

I. S. MANSFELD

Ranking with the pioneer newspaper men of Arizona was I. S. Mansfeld, who in 1870 established in Tucson the first book store and news stand in Arizona. Mansfeld became one of the most active members of the Society of Arizona Pioneers and very entertainingly has told his early experiences in the distribution of literature. Times were very dull in those days and money was in circulation only on military pay days. It took two weeks to bring newspapers in by mail, the mail buckboard coming only twice a week from Yuma. No reliance could be placed upon the mails, however. Sometimes there were lapses of three weeks. Mansfeld's first Christmas goods did not arrive until the middle of the following February, though ordered in October. This, he said, however, was taken in good nature. The people were so used to such things. There were only about two hundred Americans and no social lines were drawn. They yearned for the news of the outside world, for at that time

only meager information was to be had locally. There were only two newspapers in the territory, one each in Tucson and Prescott and only three towns of any size. There was only one place of worship, the Catholic Church and a primary school.

WILLIAM C. GREENE

One of the most picturesque characters ever known in the Southwest was Wm. C. Greene, who rose from a most humble beginning to be a capitalist, at one time rated at $30,000,000, who lived his life in strenuous excitement, which he seemed to like better than peace, and who died what he would have considered poor, but still defiant of fate. He came to Arizona in 1877; prospected a mine in the Bradshaw Mountains with George Burbank as partner; went to Tombstone in the boom days, and worked as a miner; cut fire wood in the Dragoon Mountains and sold it for $14 a cord; married and settled on a San Pedro Valley ranch near Hereford. About this time he formed Mexican mining connections that afterward dominated his life's work. While ranching, Greene's neighbor on the San Pedro was Jim Burnett, a man of violence, who long was justice of the peace at the nearby Town of Charleston. One day Greene's dam across the river was blown up and in the resultant flood, Greene's daughter Helen and a girl playmate were drowned, as they were playing on the bank of the stream. Though Burnett was not in the vicinity, Greene believed him responsible for the destruction of the dam, hunted him down at Tombstone and slew him on the public street, thereafter declaiming. "Vengeance is mine; I will repay, saith the Lord." Sheriff Scott White did his duty, but when Greene came to trial he was acquitted more on account of the personality of the defendant than on account of the jury's belief that Burnett had really blown up the dam. It is told that long thereafter, nearly every man connected with that case who had shown any friendliness, including the sheriff and other peace officers and the members of the jury, were given good jobs in some one of Greene's enterprises. It is commonly said that "Bill Greene never forgot a friend."

Greene's interest in Mexican mines led him into a number of encounters with the Apaches from which he escaped alive and with credit, but these affairs were of small importance relatively to those in which he afterwards engaged with Wall Street bankers and brokers.

In 1898 Greene had an option on a half-dozen Mexican mining claims in the Cananea district, conditioned upon the payment of about $47,000, for which amount he had to go beyond his own means. There resulted the formation of the Cobre Grande Copper Company, within which Greene was to receive $250,000 and a one-twelfth interest in the company, for his claims, for other property he was to add and for his assistance in promoting the enterprise. Largely through the assistance of George Mitchell, a well-known Jerome smelter man, the necessary money was raised, mainly in Arizona, and the company formally was organized in Cananea May 26, 1899. Thenceforward for years, litigation, trouble of many sorts and even bloodshed filled the history of the enterprise. A 200-ton smelting furnace was started in May, 1899, but produced only about a third of the camp's running cost. An "angel" was found in July, 1899, in J. H. Costello, a Pennsylvania capitalist, who bought

31,000 shares of stock, with the proviso that he be put in charge. Costello's management lasted till October, when Greene, Mitchell and their mining engineer, Prof. Geo. A. Treadwell, took forcible possession of the property. Con O'Keefe of Jerome, was displaced as superintendent, forced out by order of a Mexican court with which Greene had large influence and soon thereafter the property was transferred by Greene, acting upon his original claims, to the Cananea Consolidated Copper Company.

As early as 1905, Greene's activities had resulted in the establishment of a community of over 20,000 people in the Cananea Mountains, with 4,000 men employed in the mines and smelter. Greene had been fighting his way through the courts of Mexico, of Arizona, New York and other states. He had entered the great Wall Street game and only his tremendous pluck and known willingness to kill saved, on one occasion, stock valued at several millions of dollars taken by him from a desk which he had broken open in the office of one of his associates, whom he then awaited, revolver in hand. This wild-western way of playing the game was the only one known to him and for a time succeeded. In Arizona and Sonora he had gathered around him scores of men upon whom he could rely to the death, and there were times when the mines were held in defiance of Mexican law processes. One of his lieutenants, Foreman Massey, in his loyalty even disobeyed orders and insisted on sinking on the Capote property long after he had been ordered to quit and thus ran into the greatest body of copper ore ever encountered in the Cananea Mountains, worth many millions of dollars.

Greene's Mexican corporation, the Cananea Consolidated Copper Company, was represented in the United States by the Greene Consolidated Copper Company, which afterward, with Amalgamated support, in the course of a Wall Street fight, in which Thomas Lawson was an active enemy, became the Greene-Cananea Consolidated Copper Company. Greene in the meantime had bought a large part of Northern Sonora as a cattle range, had purchased mines and holdings in the timbered Sierra Madre Mountains, with the controlling interest in a railroad that tapped the timber district, had built a railroad from Naco to Cananea, as well as a twelve-mile line to tap the mines of his corporation, he had invested in smelters at various points and had backed several mining companies of large claims, from which came small results. He provided against the future by walking into an insurance office and buying a $100,000 policy for $66,000 cash. About this time his private car used to be attached in almost every state in which it traveled under a judgment secured by a firm of New York bullion brokers. Wherever there was a faro game Greene loved to tarry, and to bet blue chips, with the ceiling as the limit. A man of large physique and tremendous strength, he busied himself continually. In speculation he was gambling on the largest of scales. On several occasions only his personal influence at Cananea soothed the anger of Mexican mobs composed of striking workmen.

It is probable that Greene considered his never-ending litigation very much as he would a game of poker. He usually managed to employ about all the able lawyers in sight, and about a score of attorneys in Southern Arizona, mainly in Tucson, rose to affluence through his patronage. It used to be said that even his leading lawyer, W. H. Barnes, didn't know all of Greene's litiga-

tion, and that the only man on earth who could write the full story of the various trials was Editor William Spear of the Phœnix Republican, who had rather specialized on the subject.

Naturally such a career as this had a dramatic ending. Greene's end was after he had lost nearly all of his wealth, save a competency secured to his family. He died at Cananea, August 5, 1911, through accident, thrown from a carriage by runaway horses.

COL. EMILIO KOSTERLITSKY

Early in 1913 revolutionists in overpowering numbers forced across the line a command of loyal Mexican troops commanded by Col. Emilio Kosterlitsky. This force was taken for internment to Fort Rosecrans on the San Diego Bay, and about the same time a large number of refugees from the more eastern points along the border were sent to Fort Wingate, New Mexico.

Colonel Kosterlitsky, still living, a resident of Southern California, has had a romantic career. A Pole of good birth and an officer in his own land, he was driven to America by political changes and enlisted in the United States army. Here it has been told that he became a corporal at Fort Wingate in a troop of the Sixth Cavalry, commanded by Capt. Adna R. Chaffee, and the tale continues that he was so severely treated by Chaffee that he left the army for Mexico, where he readily found congenial employment as an officer of the rurales of the frontier guard, under Col. Juan Fenochio. Chaffee, regretful of his actions, is said to have been instrumental in removing any stigma that might have attached to his ex-corporal's departure. Kosterlitsky soon rose to the rank of lieutenant-colonel and later to full colonel. It is believed that no man could have done more than he to put down the disorder that was so common in Sonora. His methods were sharp and decisive and a known criminal rarely ever was left to the delay and doubtful justice of the courts. The rurales, with the full approbation of the central government, usually resorted to "la ley fuga" and the criminal was left in a shallow grave. He participated with distinction and success in a number of expeditions jointly with American troops and his services especially were appreciated by the very officers with whom he had served in the United States Cavalry.

Possibly it would be well to insert here an alternative story of the way he joined the Mexicans. It is to the effect that he deserted from the Russian navy at New York, preferring service in the saddle. He took an American vessel to Guaymas, where he enlisted in the Mexican army, in which he had service of forty years.

PAULINE CUSHMAN

One of the notable women of the latter pioneer days of Arizona was Pauline Cushman, who lived in Casa Grande for many years, the wife of Jere Fryer, who served a term as sheriff of Pinal County, and who kept a hotel and corral near the Casa Grande Station. Before marrying Fryer, she had managed hotels and eating houses in several southwestern camps. Before the Civil war she was an actress in New Orleans and is said to have been the first woman who ever played the part of Mazeppa in the United States, a daring innovation in the early days of the theatrical business. During the Civil war she became

a Federal spy and did such good work that she was at least brevetted, and is said to have been commissioned, to the rank of major. About that time she is said to have been a remarkably beautiful woman of Creole type. About 1881 she left Casa Grande for Oakland, California. Thence she made two trips to Alaska and she was back in Arizona in the fall of 1895, rather inclined toward settlement in Mexico. In a copy of the Tucson Citizen of twenty years ago has been found this appreciation of her character: "Miss Cushman is one of the best-known women on the Pacific Slope, having been at one time or another boardinghouse keeper in every prominent mining camp this side of the Rockies. Among the miners she has a world of friends, for no man was ever turned from her door, whether he had means or not. It is said that she grubstaked more than a thousand prospectors in her time, but still the long-looked-for bonanza has not been struck." She died in Oakland, where she was buried by the Grand Army with military honors. Fryer died in Tucson a few years later.

THE ARIZONA PIONEER SOCIETY

The Arizona Pioneer Society was organized January 31, 1884, at a meeting at the old Palace Hotel in Tucson. At that time the date of admission was set at 1870, though there have been modifications of this rule since that time. A large number of the pioneers were men who came in the California Column, but an unexpectedly large number dated their residence before the Civil war. On the admission date fixed, the settlement at Prescott had been only six years old and that at Phœnix only a little over a year, though many at Yuma were eligible. The original membership roll herewith is reproduced, with year of arrival annexed:

Chas. D. Poston	1854
Hiram S. Stevens	1854
Peter Kitchen	1854
Samuel Hughes	1858
Michael McKenna	1856
Wm. S. Oury	1856
N. B. Appel	1854
Jas. H. Toole	1862
F. M. Martin	1862
P. M. Smith	1853
Wm. J. Osborn	1863
Geo. O. Hand	1862
I. H. C. Waltemath	1865
A. Lazard	1858
Thomas Gates	1865
Isaac Goldberg	1863
George Martin	1855
Leopoldo Carrillo	1859
Wm. C. Davis	1869
W. A. McDermott	1868
E. I. Smith	1869
Thomas Hughes	1868
G. Witfield	1861
Mart Maloney	1869
W. F. Scott	1859
D. G. Sanford	1862
Horace H. Appel	1862
Thomas Steele	1867
Wm. Zeckendorf	1867
E. Bruner	1863
Ferdinand Franco	1862
Henry Gibson	1862
J. McC. Elliott	1852
Chas. H. Tully	1867
Wm. H. H. Burpee	1854
Thomas Burke	1864
G. F. Foster	1864
M. G. Samaniego	1869
Palatine R. Burke	1859
Edward N. Fish	1865
P. R. Tully	1858
Dr. J. C. Handy	1866
T. G. Rusk	1855
Philip Drachman	1863
A. G. Buttner	1865
S. H. Drachman	1867
Chas. T. Etchell	1864
D. T. Harshaw	1862
Adam Sanders	1865
Wm. C. Ferguson	1860
Geo. T. Martin	1862
Thos. J. Jeffords	1860
James Quinlan	1865
R. N. Leatherwood	1869

SEAL OF ARIZONA HISTORICAL SOCIETY

SEAL OF SOCIETY OF ARIZONA PIONEERS

D. Velasco	1859	Tom Driscoll	1869
Estevan Ochoa	1857	E. A. Yerkes	1869
N. Van Alstine	1856	Alex. Levin	1863
Robert Fraser	1866	M. R. Johnson	1868
Edward A. Clark	1869	Augusta Brichta	1862
Henry E. Lacy	1865	A. J. Keen	1858
F. L. Austin	1868	Horace B. Smith	1864
Placido Ruelas	1855	James Lee	1856
Peter Mathews	1866	Daniel Madden	1852
Chas H. Meyers	1858	J. E. Mills	1869
A. L. Jones	1868	J. S. Mansfield	1869
W. W. Williams	1864	Oscar Buckalew	1864
Fred Maish	1869	E. D. Woods	1867

CHAPTER L

NORTH OF THE GILA

R. C. McCormick—Sol. Barth—C. B. Genung—J. H. Lee—Ed. Peck—Jack Swilling—Darrell Duppa—Abe. Frank—Al. Sieber—Tom Fitch—C. H. Gray—Michael Wormser—E. F. Kellner—The Pioneers' Home and Its Inmates.

Save at Forts Defiance and Mojave and on the lower Colorado, there was no permanent white settlement before the date of territorial organization in all the vast expanse of Arizona north of the Gila River or of the southern transcontinental highway. The land had been explored by survey parties, trappers and miners, whose experiences have had mention heretofore in this work, but of permanent settlements, beautiful Prescott was the first. Naturally, the pioneers of Tucson have seniority, but it is probable the men of the north knew at least equal hardship with those of the south and served as effectively in wresting control of the land from savage hands.

RICHARD C. McCORMICK

Richard C. McCormick, the first secretary of Arizona and later its governor and delegate, has high popularity among the pioneers of the territory, who knew him best as "Dick" McCormick. He was a born newspaper man and publicist, with great enthusiasm in his work and with deep interest in the natural resources, physical attractions and unwritten history of the Southwest. He was in reality the editor of the first newspaper brought into Northern Arizona and did important work toward securing population, by spreading the news of the riches of the land. Early legislation had a habit of passing resolutions of thanks directed to him. One of these resolutions tendered thanks "for his constant integrity, and for the faithful manner in which he had discharged the duties of his office and for his untiring efforts on behalf of our people, and particularly for the intelligent zeal with which he set forth the resources and prospects of the territory while in the East during the last summer, whereby they were prominently and favorably made known to the people of the Atlantic states."

When McCormick went East in 1865, it was by way of the Greytown, Central American route. On the steamer he met Miss Margaret G. Hunt of Rahway, New Jersey, who became his wife in September of that year. The letters of both from Prescott gave vivid pictures of life on the frontier, where there would have been no windows in the governor's mansion had not McCormick had the thoughtfulness to bring sash and glass from St. Louis.

Governor McCormick delivered a Fourth of July oration in Prescott in 1866. In the winter of 1866-67 he and his wife took a long journey through

Western and Southern Arizona, ending in Tucson, where there was trouble with the language, for McCormick did not learn Spanish.

Mrs. McCormick came to the Southwest by way of Panama and San Diego, by stage coach to Yuma and river steamer to Ehrenberg, thence overland to Prescott, carefully nursing all the way the root of a red climbing rose. This she planted under the window of the log cabin that was the first executive mansion of Arizona. On the capitol grounds in February, 1907, was a pretty ceremony, the planting of a slip from this first cultivated rosebush ever brought into Northern Arizona. The bush had been taken by Mrs. Margaret A. Ehle, who had cherished it through the years until her death in 1906. The shoot was planted by Governor Kibbey himself, territorial officials added earth and Miss Sharlot M. Hall told the story of the rose. Mrs. McCormick died April 30, 1867, aged 34, at the old Fleury log house, on the birth of a child, and both were laid in one grave nearby, later to be taken East. Attending at the funeral was Rev. Chas. M. Blake, chaplain at Fort Whipple.

McCormick was born in New York City, May 23, 1832. Soon after leaving school he served as a newspaper correspondent in the Crimean campaign and in the same capacity with the Army of the Potomac in 1860. In 1876 he served as commissioner of the Centennial Exposition at Philadelphia, in 1877 was assistant secretary of the treasury and in 1878 commissioner general to the Paris Exposition. Active in republican politics in New York he was defeated in 1862 and 1886 when there nominated for Congress, in which he served three terms from Arizona, but success attended another eastern effort in 1894. He declined appointment as minister to Brazil offered by President Hayes. He married again in 1873, wedding Rachel Thurman, daughter of Senator Allen G. Thurman of Ohio. Death was of apoplexy at his home in Jamaica, Long Island, June 2, 1902.

SOL BARTH

Few men have had a more curious history than Sol Barth. He was born at North Orange, New Jersey, seventy-four years ago, but was taken back by his parents to the Posen district of Eastern Prussia when only a few months old. At the age of 13, he joined an uncle who had embraced the Mormon faith and with him journeyed back to America. For part of the distance, on a road that eventually led to the Mormon settlement in San Bernardino, Cal., he traveled in true Mormon fashion, at the bar of a two-wheeled pushcart. He left San Bernardino in 1862 for the Colorado River town of La Paz, to work for Michael Goldwater. At this time probably 1500 men were washing gold in the creek beds around La Paz. Among the settlers were Miguel Peralta, M. Goldberg, Levin, later of Tucson, and Hermann Ehrenberg. In 1864 Barth went to the first term of court held in La Paz by Judge Allyn, to secure citizenship, for, curiously, at that time he was not informed of the fact that he had been born in New Jersey and he thought himself a native of Germany. He knew Kit Carson when the famous scout came through Zuñi as a colonel of volunteers, to settle some trouble among the Navajo Indians. His memory of Carson was that of an ignorant and uncouth frontiersman. Barth went to St. Johns in 1864 with a prospecting party, though not to stay. About that time he was still freighting and packing with a train of seventy burros, which he later traded to Genung and Kirkland

for the Peeples Valley Ranch, though he never occupied the ranch or gained any benefit from its temporary ownership. After freighting around New Mexico for a year, in 1869 he was for a year sutler at Camp Apache. In 1874 he located permanently in St. Johns, where he still resides.

CHARLES B. GENUNG

Premier among the pioneers of Northern Arizona today is Chas. B. Genung, who not only has the distinction of an early arrival, but who has written extensively upon his experiences, and who expects to publish the history of his interesting life in book form. Genung is distinguished as an old-timer who came to Arizona for his health. Afflicted with weak lungs, he left San Francisco July, 1863, for the south, expecting to go to Mexico, but at Los Angeles he was diverted to Arizona in getting the news of the placer strike at Rich Hill. He was fortunate in crossing the desert to have as a companion Ben Weaver a half-breed son of Pauline Weaver. The Colorado was crossed at Bradshaw's Ferry, at what was called Olive City, on the Arizona side, not far from La Paz, which was then a town of several hundred inhabitants with several stores. With a considerable party, Genung made his way up Bill Williams Fork and over on the Hassayampa to Walnut Grove. After panning creek beds for gold, some rich float was found, above which was located the Montgomery mine, believed by Genung to have been the first quartz mine located in the new country. Notice of the location was carried to John Pennington, the district recorder, and entered upon his little book of records at his office, which was under a big juniper tree on the Hassayampa. In December the partners had managed to build a small arastra and by the end of the month saw a clean-up worth nearly $300 in gold, the first quartz gold taken out north of Gila River in Arizona. This gold was retorted in an old musket barrel, and was used for the purchase of badly-needed provisions. In the northern journey to Granite Creek, Genung, bearing the gold, had a single meal, a chicken hawk, which he broiled on the coals of his camp fire and ate without any condiments or accessories. Bill Kirkland, who had his family with him, was working a placer mine about twelve miles below Genung's. A. H. Peeples had started his ranch, sixteen miles to the southwest, and there were a few neighboring miners, one of whom was Sandy Hampton, who was killed early in 1864 by a Mexican, whom he had made welcome.

With the guide only of the large-sized shoe tracks of Hampton's horse, which had been stolen by the Mexican, Genung started on the trail and chased the fugitive nearly to the Mexican line, south of Tucson, and, still led by the tracks, finally found the Mexican lying under a bush, while the hobbled horse grazed near by. Genung, in his manuscript memoirs, states that he was "about the worst-looking, black, scar-faced greaser that I ever looked at, but he looked good to me just then." Genung is careful to state that he had a loaded shotgun, but he leaves at this point of his narrative what may be described as a string of stars. In any event, the Mexican never again was heard of, though Hampton's horse was recovered.

Throughout the news of the period ran a crimson thread of Indian depredations. No discrimination was shown by the redskins, who in 1866 killed one who had tried to do them the greatest good, Geo. W. Leihy, who had succeeded Poston as superintendent of Indian affairs. Soon thereafter came a visit from Geo. W.

Dent, a brother of Mrs. Grant, who had been appointed to a general supervision over Pacific Coast agencies, and who employed Genung to guide him in Arizona. Dent had sent to him at La Paz a large quantity of Indian annuity goods. In July, 1867, Genung, appointed in charge of the new Colorado River reservation, began construction of a canal to irrigate land for the Mojaves, whom he found most tractable. But Dent failed to keep promises made to the Indians and Genung soon resigned. Later he used Indian labor to advantage in improving the road between Prescott and Date Creek.

Considering the present civic attitude of Arizona, it may be interesting to note that Genung started the first, possibly the only, early-day distillery in Northern Arizona. This was at Walnut Grove in 1867. With a "worm" he had bought in California, he worked 100 pounds of 7-cent corn into five gallons of five-dollar whiskey. The budding industry was short-lived, for he says that Internal Revenue Agent Levi Bashford refused him a license for more than a single quarter.

J. H. LEE

One of the earliest farmers of the Prescott section was J. H. Lee, who established himself in 1863 at what he called American Ranch, near the foot of Granite Mountain, on one of the main roads leading out of the new settlement. Later it was isolated by a change of travel and Lee for years lived in danger from the swarming Apaches, never venturing save at night, on his trips to Prescott. He died at his home in April, 1915, aged 79.

ED PECK

Ed Peck, who died in his 77th year in Nogales late in 1910, especially was notable in Northern Arizona as the discoverer of rich silver mines in the upper Bradshaws, where one property that still bears his name is credited with a bullion output valued at more than $1,000,000. Peck was even as greatly distinguished, however, in his capacity as an Indian fighter. He came into New Mexico in 1858, already an experienced plainsman and hunter. The party passed the Zuñi villages and continued westward to a point near the San Francisco Mountains. There the Indian signs were so threatening that a retreat was determined upon back to Zuñi and Albuquerque, where the party broke up. Peck returned to Arizona in the fall of 1863, his party including W. E. Collyer, R. E. Farrington and Lou Thrift, and soon acquired an approach to wealth by cutting 300 tons of hay, for delivery to the military post, at $30 a ton. The newcomers had a cabin on Granite Creek, a few miles below Prescott and a short distance above the Point of Rocks, where they were constantly harassed by the Apaches, but where they were successful in washing wealth out of the stream that winds through the lower part of the present City of Prescott.

JACK SWILLING

Jack Swilling, considered in the memory of Arizona pioneers, was the typical desperado of the old-time days. There are stories to the effect that in his day he killed at least a dozen men and that he would "sooner fight than eat." According to Neri Osborn, who knew him well, Swilling really was a kindly sort of man, save when in his cups. At all times he was fearless and when intoxi-

cated absolutely reckless. Osborn remembers the killing of only one man by Swilling, and that was a Mexican in Wickenburg who had threatened Swilling's life. In this there is the interesting detail that after killing his adversary, Swilling neatly scalped him and thereafter frequently and with pride exhibited the scalp as a souvenir of what seemed to have been to him a pleasant memory.

When there was a vote within Maricopa County concerning the location of the county seat, Swilling was a keen partisan of East Phœnix, near which he owned a ranch. He had assured himself of victory, to be gained by voting a large number of Mexicans. This Mexican vote was left in charge of one of their own number, who appears to have been successfully approached by the anti-Swilling element. When Swilling saw that he had been beaten, great was his rage against the Mexican who had betrayed him and, with a gun loaded with buckshot, he sought out and shot the guilty individual. But the wound did not prove mortal and the assault seems to have been allowed to go without judicial reproof, as merely an incident to a heated campaign.

Swilling died in Yuma on a charge of having robbed a stage near Wickenburg. In later years there seems little doubt that he was unjustly sentenced, for at the time of the robbery he was in the lower Bradshaws near the Red Picacho, getting the body of Colonel Snively, who had been killed by Apaches, and taking the remains for reinterment near Swilling's home, which then was on the middle Agua Fria, not far from Gillett.

Swilling, a Mississippian, came to Arizona as a lieutenant in Captain Hunter's Confederate command and especially is named as having been delegated to escort a number of prisoners of war back to the Rio Grande. Then it would appear that he left the military life to join the Walker party. According to Conner, a member of the party and its latter-day historian, it was Swilling who captured Mangas Coloradas, a deed entirely in keeping with Swilling's known character. After the Walker party dissolved around Prescott, Swilling lived at a number of points in South-central Arizona, but has his place in Arizona particularly through his leadership of the first Americans who ever settled in the Salt River Valley.

DARRELL DUPPA

One of the mysteries of Phoenix in its early days and the man generally credited with naming the town was Darrell Duppa, the dissolute and exiled scion of an aristocratic English family. One sign of his good breeding was the fact that he talked not at all about his antecedents. There was one fantastic tale that he was the lost Lord Tichborne and that he was being paid to remain away from England. It was a fact that once every three months from England was received a considerable sum of money, sent to him through Dr. O. J. Thibodo, who acted as trustee. After the Doctor had paid Duppa's debts there would usually remain enough money for Duppa to scatter in a spree that would last for a week or more. He was possessed of a college education, understood the classics well, used the best of English and had good command of French, Spanish and Italian, indicating personal experience in the British diplomatic service. His home as a rule was with friends a few miles west of Phœnix on the Dutch Ditch.

Only one effort on his part toward industry is chronicled. For a while, early in the seventies, he kept a stage station at the sink of the Agua Fria, about forty miles north of Phœnix at a point described by travelers of the day as little short of desolation itself. When Duppa was asked by Captain Bourke why he lived in such a spot, the best answer returned was that he had been attacked by Apaches at that point and after he had driven them away he thought he would camp right there just to show the redskins he could. This explanation seemed to be acceptable to the people of the period, however it may sound in these later days. The station is described as having been nothing more than a "ramada" of willow wattles with a dirt floor and with the main article of furniture a long pine table that served either for meals or for gambling. Quarters for the night were afforded by unrolling piles of blankets against the walls. At one end was the kitchen whence the cook called the guests to their repast by the true cowboy yell of "Hash pile! Come a runnin' or I throw it out." Upon the walls were hung saddles and harness and weapons in variety, with cartridge belts and other necessities of the frontier.

Particular description of the place is given not because it was at all unique; there were many such along the trails and roads, where black beans, black coffee and flapjacks were to be had for a consideration, always in conjunction with whisky of most awful variety. But it is considered that such surroundings could hardly have been compatible with the upbringing of a graduate of Cambridge who had served Her Majesty in the courts of Europe.

Duppa usually was called upon to decide any questions of history or language, or even of ethics. Not infrequently he would drop into rhyme. One of his poetic efforts has been preserved unto this day, largely through the retentive memory of Madison O. Larkin, who was the early day agent for Wells, Fargo & Co., but who latterly, risen to wealth and high position in Pennsylvania, has a special distinction in being a more or less perpetual candidate on the prohibition ticket for governor of the Keystone State. This particular one of Duppa's effusions (and in them he included many prominent citizens) follows:

Weep, Phœnix, weep; and well ye may,
Great Morgan's soul has passed away;
Howl, Pimas, howl; shed tears of blood,
And squaws bedeck your heads with mud;
Around his grave career and canter,
And grieve the loss of beads and manta.

One of the characters of the early days was Henry Morgan. He owned a store in Phœnix, but spent most of his time at his trading post on the Pima Reservation. Occasionally in Phœnix, when properly primed with whiskey, he would station himself in the center of the main street and howl something to the effect that in him were strains of both alligator and tiger and that he absolutely defied the world to come and take him, that he had sixteen rifle balls in him and that the pistol that he waved was deadly. His final war whoop always was, "I fool 'em all; I fool 'em all." Though Morgan really was dangerous and had killed several men in his time, usually some quiet deputy sheriff, with the remark that he guessed that the balls referred to were merely codfish balls, would come and lead him away.

Morgan was thoroughly scared on one occasion and was a milder man thereafter. He was in a barred cell at the time the county jail, in the summer of 1879, was entered by a vigilance committee, which took out two murderers and hanged them on the trees of the plaza. Morgan for a while thought he was to be included in the ceremony.

It happened that Morgan was not killed at the particular time referred to by Duppa, though it was reported from the reservation that he had been beaten to death by Indians. He lived long thereafter, though in reduced circumstances and with failing health, at last dying, an inmate of the Arizona Hospital for the Insane, on October 18, 1908, aged 64.

Duppa's memory is perpetuated in Arizona granite at the old Masonic Cemetery in Phœnix, where in December, 1910, the Daughters of the American Revolution, with all formality, set a stone that had been purchased by themselves.

ABRAHAM FRANK

November 29, 1903, at Yuma, died Abe Frank, of whom John Dorrington wrote: "A man and a gentleman; what more can be said?" He came to the Colorado River region, to La Paz, about 1867. There and at Ehrenberg and later at Arizona City, the modern Yuma, he was a leader in business, successful despite an open-handed generosity that seemed to count only the necessity of the recipient and not the prospect of repayment. Naturally no man of his locality had greater popularity, and he was rather forced into public office. He served in the Territorial Legislature, as prison commissioner, as mayor of Yuma and in his latter years as probate judge of the county.

AL SIEBER

Since the days of Kit Carson no more noted Indian scout was known in the Southwest than Al Sieber. He was a native of Germany, reared in Pennsylvania. He enlisted in the Civil war in a regiment of Minnesota infantry and was badly wounded at Gettysburg. Recovering he enlisted again in a Massachusetts regiment. After muster-out he went to California, whence he came to Arizona in 1868.

Soon after coming, he drifted into association with the Apaches and soon learned their language and customs and their trails. A score of times or more he guided United States troops in successful attacks upon the redskins. His acquaintance with the Apaches' ways made him an especially valuable man in leading Apache scouts and for a time he served as chief of scouts on the San Carlos Reservation, probably the most dangerous position ever filled by a white man in the Southwest. He was wounded several times by the Apaches. In 1875 he was shot through the arm in a fight north of Phœnix. At San Carlos agency on June 1, 1887, Sieber in an attempt to disarm recalcitrant Indian scouts at the order of Capt. F. E. Pierce, the acting Indian agent, was badly wounded. The scouts had left without permission to attend the funeral of an Indian who had died and the agent had ordered their arrest. Sieber, who was chief of scouts, and a posse attempted to arrest the scouts, when they opened fire. Sieber was wounded, shot through the right leg. The bone was badly shattered. As a consequence he was permanently crippled and incapacitated

SAMUEL PURDY
Lawyer and duelist

THOMAS FITCH
Orator and pilgrim

"BOB" PAUL
Express messenger and sheriff

for further active service. Sieber is said to have been wounded twenty-nine times in Indian fights.

Tom Horne, who was with Crook at the time of his conference with Geronimo, was one of the most noted Indian scouts of the Southwest, and generally was closely associated with Al Sieber. Horne is dead, hanged in Wyoming, in 1903, for murder, but he has left behind a personal narration of his experiences among the Apaches. One of his tales is of an excursion into Mexico with Sieber and Merijilda Grijalva, a Mexican who had been a captive within the Nana band. Sieber had been sent out by General Willcox in response to a message from Geronimo that his band wanted to make peace. The trio found the Indians with little trouble near the headwaters of the Bavispe River in eastern Sonora and had a big talk with a number of chiefs, for whom Geronimo acted as spokesman. Nothing came of the talk, however, though with Sieber returned a number of Indians and squaws who had become tired of the wild life.

Sieber's last work was at Roosevelt, where he was employed as foreman of a large gang of Apache Indians employed on road construction work and where he was crushed under a rolling boulder in February, 1907. Burial was at Globe. In the Legislature of 1907 was passed a bill drawn by Miss Sharlot Hall making appropriation for the proper marking of the graves of Colonel Poston and Al Sieber, merely as an introduction for similar work that should result in proper recognition by the territory of the services of the men who had fought the savages and had cleared the way for civilization. Sieber's monument, a boulder from the hillside, was placed where he died, on a spot beside the reservoir a mile north of Roosevelt.

THOMAS FITCH

Any history of Arizona would be incomplete indeed without more than passing mention of Thomas Fitch, the "Silver-tongued Orator of the Pacific Slope," even though each of his stays within the territory usually was merely a flitting. He remained long enough at times to go to the Legislature and at least twice he established a definite residence herein in order that he might have a chance to be considered a senatorial possibility. Fitch came to the coast in 1860 and in later days acknowledged the benefit of instruction from those great orators, Col. E. D. Baker and Starr King, of the close companionship of Mark Twain and Joaquin Miller and of the friendship of the "Big Four" of the railroad world, Stanford, Huntington, Hopkins and Crocker. He saw the laying of the first rail of the overland railroad at Sacramento and of the last rail in Utah. He was a member of an early California Legislature from El Dorado County and was a member of the Nevada Constitutional Convention. He was to have been delegate to Congress from Nevada, but he was beaten to his office by statehood. A senatorial will-o'-the-wisp disappeared in the distance about the same time. He practiced law in Utah and then came down to Arizona, where he served as a legislator and as a veritable Richelieu behind the chair of Governor Frémont. He was in Tucson a few years later and still again returned, when statehood appeared near, to practice law in Phœnix. Again he returned in 1906 to speak for joint statehood, though it is believed his personal views on the subject did not particularly compel his action. In the time between the visitations he had cast his permanent lot variously in San Diego, Los Angeles and Honolulu. At

the last-named point he nearly attained riches. He would have had a fee of several hundred thousand dollars if he had won a case wherein his clients, Japanese merchants of Honolulu, claimed that "sake" should be classed for customs purposes as a beer and not as a spirituous liquor; but the unfeeling courts failed to take that view. Wherever he went his eloquence and wit and unfailing good nature were levied upon and utilized for the benefit of almost everyone save himself. The record of his triumphs of eloquence begins back in the days of the Civil war, when he helped to hold California within the Union, and his wonderful oratory during the Grant campaign of 1868 probably even was equaled in a later campaign in Arizona when, after the republican party had dropped the cause of free silver, in his "Ruth and Naomi" speech he told why he remained with his party when one of its dearest tenets had been put aside. And the banquet he gave after one campaign was over yet is remembered as really the acme and pattern of what banquets should be in the points of gastronomy, oratory and good fellowship. Tom Fitch of late, rich only in years and memories, is a member of the staff of the Los Angeles Times, one of the last of a great galaxy of brilliant minds that in the early days developed the spirit of Californianism thereafter recognized and respected throughout the world. Incidentally, it might be told that he is a New Yorker, born January 27, 1838.

COLUMBUS H. GRAY

One of the earliest residents of the Salt River Valley was Columbus H. Gray. He had been a gold seeker in California, but had returned to his southern home to join the Confederate army. In the latter days of the war he came west again by wagon, passing through Arizona. He returned in 1869 and located on land immediately south of the Phœnix townsite. After making three fortunes in mines, he died poor, in September, 1905, at the age of 72, because of reckless prodigality. His wife survives, honored as the first American woman of the Salt River Valley.

MICHAEL WORMSER

One of the early settlers of the Salt River Valley was Michael Wormser, who, by purchase from Mexican homesteaders, acquired title to about 6,000 acres of land south of Phœnix, across the river, and who died in April, 1898. Wormser, a German Jew, handled an immense business almost wholly by memory, his income mainly in the shape of products of the soil brought him by renters of his land. After his death the estate was sued by his cousin, Ben Block, a pioneer merchant, for $48,300. Block claimed that in 1878 fearing attachment for debts incurred while a forwarding agent, he turned over to Wormser property valued at $40,000, which served as the foundation of the Wormser fortune. Compromise of the suit was made in the payment to Block of $1,000. The Wormser land was purchased by the Bartlett-Heard Company.

ERNEST F. KELLNER

E. F. Kellner had a store in Globe, another in Phœnix, a sawmill in the Pinal Mountains, a cattle ranch in the Tonto Basin and a few mines. Though simple in personal habits, kindly and considerate in his dealings with his fel-

PIONEERS' HOME, PRESCOTT

lows and possessed of a large stock of financial acumen, he soon had more than local fame due to his peculiarities. He had a watch chain of diamond-set gold, its links letters an inch deep across his vest, spelling his entire name. His golden monogram was upon his harness and altogether he departed very materially from the unostentatious fashion of his fellow men of the day. Having accumulated a large fortune, he moved to Southern California, where he died in his seventieth year, in December, 1914. His home was in a suburb of Venice, where the trolley tripper could read as he passed, emblazoned above the gate posts, the name of the owner of the house. In the yard was a sunken mausoleum, built by him years before, with room for the reception, at the proper time, of the bodies of himself and members of his family. Behind strong bronze gates, there lay in readiness a massive metallic coffin made of copper assumed to have been smelted in Globe. In this his body was laid to rest, with Masonic ceremonies joined in by craftsmen from Arizona, where he had served as grand master of the order.

GUESTS OF THE PIONEERS' HOME

Within the Pioneers' Home now are gathered a considerable number of survivors of early territorial days. With the coming of woman suffrage was accepted a bequest for the addition of a wing, which is now under construction and which is to be occupied by women, under the same limitations prescribed for the men. Annexed is a list of admission to the home since its establishment, classified by years of arrival in the territory. This list, supplied in 1915 by Superintendent P. S. Wren, includes the names of thirty-six men who have died or who have left the institution:

1858, Benjamin S. Barrett; 1860, William Baxter, Thomas Farrell, W. J. Johns; 1861, William Flanigan, Wales Arnold; 1862, Norman Lee Griffen; 1863, Louis Benjamin St. James, George W. Burward, Van C. Smith; 1864, Wm. D. Murphy, Clarence L. Ferguson; 1865, Dave Gibson; 1866, Augustine Caballero, Thomas J. Foster, James Winters, Frank Marlow, James A. Sheridan, John Nugent; 1867, H. Ramboz, Peter Arnold, Hugh M. Warren, David Gibson; 1869, A. D. Whaley; 1870, Daniel W. Halloway, Samuel Stanton, Edward G. Cane, Daniel Johnson; 1871, James Daley; 1872, John G. Green, John Carmichael; 1873, John O'Dowd; 1874, John P. Van Winkle, Norman McKenzie, Harry Nevin; 1875, Roderick Ross, William H. Yancy, William Debut, Alonzo S. Hooker; 1876, Patrick Donlan, James Finn, C. W. Fuller, Charles A. Rodig; 1877, F. S. Percy, Wm. Broply; 1878, Thomas Wixted, Charles Smith, John D. Kinnear, Andrew Stark; 1879, George H. Chapman, James Mack, Jonathan Barrows.

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